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URBAN/MUNICIPAL

BY-LAWS OF THE REGIONAL
MUNICIPALITY OF
HAMILTON-WENTWORTH
R89001 - 89-100

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTHBY-LAW NO. R89-001

Being a By-law to exempt certain lands from the setback provisions of By-law No. 2613 of the former County of Wentworth.

WHEREAS the Council of the County of Wentworth did pass on the 20th day of March, 1973, By-law No. 2613, pursuant to the provisions of Section 99(4) of the The Public Transportation and Highway Improvement Act, R.S.O. 1970, Chapter 201, as amended, to fix and determine the distance from the centre line of all County Roads within which the owner of any adjacent lands is not to construct any building or structure;

AND WHEREAS pursuant to Section 31 of The Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, Chapter 437, as amended, the Regional Corporation has in respect of the lands included within the regional road system, all the rights, powers and benefits and advantages conferred upon the Corporation of the County of Wentworth;

AND WHEREAS the Regional Council considers it desirable and expedient to exempt certain lands located on Glover Road in the City of Stoney Creek from the provisions of the aforesaid By-Law No. 2613 requiring a setback of 21.34m (70 feet) from the centre line of the original Glover Road road allowance for new houses to be constructed on lands known as Lot 1 to Lot 8 inclusive as shown on Reference Plan 62R-8767.

NOW THEREFORE, the Council of the Regional Municipality of Hamilton-Wentworth enacts as follows:

- 1) Notwithstanding the provisions of By-Law No. 2613 of the former County of Wentworth, the site of the proposed fruit cellars, steps, unenclosed porches, balconies and canopies for houses to be constructed on lands described in Column 1 of Schedule "A" hereto attached, having a setback indicated in Column 2, from the centreline of the original road allowance of the highway indicated in Column 3, shall be deemed to be not in contravention of the provisions of Section 3(1) of the afore-said By-Law, so long as the proposed fruit cellars, unenclosed porches, balconies, steps and canopies on the proposed houses remain.

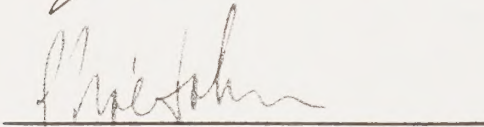
- 2) Notwithstanding the provisions of By-Law No. 2613 of the former County of Wentworth, the site of the proposed houses to be constructed on lands described in Column 1 of Schedule "B" hereto attached, having a setback indicated in Column 2, from the centreline of the original road allowance of the highway indicated in Column 3, shall be deemed to be not in contravention of the provisions of Section 3(1) of the aforesaid By-Law, so long as the proposed houses remain.
- 3) Schedules "A" and "B" to this By-Law forms part of this By-Law.
- 4) This By-Law shall come into force and effect on the date of its passing and enactment.

READ A FIRST, SECOND AND THIRD AND FINALLY PASSED AND ENACTED

this 17th day of January 1989.

Approved
as to form
DGE
Regional
Solicitor


CHAIRMAN


CLERK

SCHEDULE "A"

TO BY-LAW NO. R89-001

Column 1

Column 2

Column 3

Description of Lands

Setback

Highway

Lands on the east side of
Glover Road, north of Highway
No. 8 in the City of
Stoney Creek, more
particularly described
as Parts 1 to 8 inclusive
on Reference Plan 62R-8767

19.106m (62.69 feet)

Glover Road

SCHEDULE "B"

TO BY-LAW NO. R89-001

Column 1

Column 2

Column 3

Description of Lands

Setback

Highway

Lands on the east side of
Glover Road, north of Highway
No. 8, in the City of Stoney
Creek, more particularly
described as Parts 1 to 8
inclusive on Reference
Plan 62R-8767.

20.606m (67.60 feet) · Glover Road

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTHBY-LAW NO. R 89-002

TO ALTER REGIONAL ROAD NO. 112 (KING STREET) FROM
WEST AVENUE TO SANFORD AVENUE AND FROM
FAIRLEIGH AVENUE TO MAIN STREET
CITY OF HAMILTON

WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth is empowered under Section 31 of The Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, Chapter 437, as amended, to exercise any of the powers formerly conferred upon the Corporation of the County of Wentworth or the Hamilton-Wentworth Suburban Roads Commission or the Corporation of an Area Municipality in respect of the roads now included in the Regional road system;

AND WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth is empowered, under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302, as amended, to alter, establish and lay out any highway or part of a highway under its jurisdiction;

AND WHEREAS pursuant to Section 33(2) of The Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, Chapter 437, as amended, the Regional Corporation may alter any public road, other than a road under the jurisdiction and control of the Ministry of Transportation, entering or touching upon or giving access to a road in the Regional road system;

AND WHEREAS it is necessary to alter King Street as described herein;

AND WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth, at its meeting held on November 1, 1988, authorized the reconstruction and alteration of King Street;

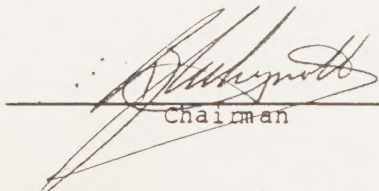
AND WHEREAS Notice of this By-Law has been published as required by Section 301 of the said Municipal Act;

AND WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth, through its Engineering Services Committee, has heard all persons who applied to be heard, whether in objection to, or in support of, this By-Law.

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

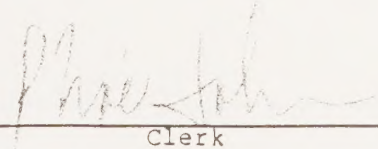
1. The reconstruction and alteration of King Street, as described in Schedule "A" attached hereto, be proceeded with.
2. The proper officials of the Regional Municipality of Hamilton-Wentworth are hereby authorized and directed to sign all documents and do all things necessary to implement these works.
3. Schedule "A" attached to this By-Law is included in and shall be considered part of this By-Law.
4. This By-Law shall come into force and take effect on the date of its passing and enactment.

READ A FIRST, SECOND AND THIRD TIME and FINALLY PASSED and ENACTED
this 17th day of January, 1989.


Chairman

Approved
as to form

Regional
Solicitor


Clerk

SCHEDULE "A"

TO

BY-LAW NO. R 89-002

DESCRIPTION OF WORKS TO BE UNDERTAKEN

REGIONAL ROAD NO. 112 (KING STREET), CITY OF HAMILTON

The reconstruction and alteration of King Street as follows:

- narrowing of existing pavement between West Avenue and Sanford Avenue; and,
- widening of existing pavement between Fairleigh Avenue and Main Street (The Delta).

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTHBY-LAW NO. R 89-003

TO ALTER REGIONAL ROAD NO. 124 (BARTON STREET) FROM
170 m WEST OF KENORA AVENUE TO CENTENNIAL PARKWAY
CITY OF HAMILTON

WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth is empowered under Section 31 of The Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, Chapter 437, as amended, to exercise any of the powers formerly conferred upon the Corporation of the County of Wentworth or the Hamilton-Wentworth Suburban Roads Commission or the Corporation of an Area Municipality in respect of the roads now included in the Regional road system;

AND WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth is empowered, under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302, as amended, to alter, establish and lay out any highway or part of a highway under its jurisdiction;

AND WHEREAS pursuant to Section 33(2) of The Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, Chapter 437, as amended, the Regional Corporation may alter any public road, other than a road under the jurisdiction and control of the Ministry of Transportation, entering or touching upon or giving access to a road in the Regional road system;

AND WHEREAS it is necessary to alter Barton Street as described herein;

AND WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth, at its meeting held on November 1, 1988, authorized the reconstruction and widening of Barton Street;

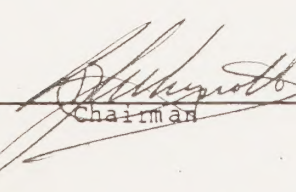
AND WHEREAS Notice of this By-Law has been published as required by Section 301 of the said Municipal Act;

AND WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth, through its Engineering Services Committee, has heard all persons who applied to be heard, whether in objection to, or in support of, this By-Law.

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

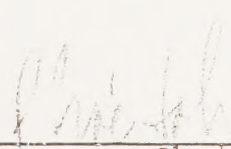
1. The reconstruction and widening of Barton Street, as described in Schedule "A" attached hereto, be proceeded with.
2. The proper officials of the Regional Municipality of Hamilton-Wentworth are hereby authorized and directed to sign all documents and do all things necessary to implement these works.
3. Schedule "A" attached to this By-Law is included in and shall be considered part of this By-Law.
4. This By-Law shall come into force and take effect on the date of its passing and enactment.

READ A FIRST, SECOND AND THIRD TIME and FINALLY PASSED and ENACTED
this 17th day of January, 1989.


Chairman

Approved
as to form

Regional
Solicitor


Clerk

SCHEDULE "A"

TO

BY-LAW NO. R 89-003

DESCRIPTION OF WORKS TO BE UNDERTAKEN

REGIONAL ROAD NO. 124 (BARTON STREET), CITY OF HAMILTON

The reconstruction and widening to five lanes of Barton Street from 170 m west of Kenora Avenue to Centennial Parkway.

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTHBY-LAW NO. R 89-004

TO ALTER REGIONAL ROAD NO. 153 (RYMAL ROAD) FROM
UPPER OTTAWA STREET TO 300 m EAST OF NEBO ROAD
CITY OF HAMILTON

WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth is empowered under Section 31 of The Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, Chapter 437, as amended, to exercise any of the powers formerly conferred upon the Corporation of the County of Wentworth or the Hamilton-Wentworth Suburban Roads Commission or the Corporation of an Area Municipality in respect of the roads now included in the Regional road system;

AND WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth is empowered, under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302, as amended, to alter, establish and lay out any highway or part of a highway under its jurisdiction;

AND WHEREAS pursuant to Section 33(2) of The Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, Chapter 437, as amended the Regional Corporation may alter any public road, other than a road under the jurisdiction and control of the Ministry of Transportation, entering or touching upon or giving access to a road in the Regional road system;

AND WHEREAS it is necessary to alter Rymal Road as described herein;

AND WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth, at its meeting held on November 1, 1988, authorized the widening of Rymal Road;

AND WHEREAS Notice of this By-Law has been published as required by Section 301 of the said Municipal Act;

AND WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth, through its Engineering Services Committee, has heard all persons who applied to be heard, whether in objection to, or in support of, this By-Law.

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. The widening of Rymal Road, as described in Schedule "A" attached hereto, be proceeded with.
2. The proper officials of the Regional Municipality of Hamilton-Wentworth are hereby authorized and directed to sign all documents and do all things necessary to implement these works.
3. Schedule "A" attached to this By-Law is included in and shall be considered part of this By-Law.
4. This By-Law shall come into force and take effect on the date of its passing and enactment.

READ A FIRST, SECOND AND THIRD TIME and FINALLY PASSED and ENACTED
this 17th day of January, 1989.


Chairman

Approved
as to form

Regional
Solicitor

Clerk

SCHEDULE "A"

TO

BY-LAW NO. R 89-004

DESCRIPTION OF WORKS TO BE UNDERTAKEN

REGIONAL ROAD NO. 153 (RYMAL ROAD), CITY OF HAMILTON

The widening to three lanes of Rymal Road from Upper
Ottawa Street to 300 m east of Nebo Road; and the
widening of Nebo Road from Rymal Road to 150 m southerly
to provide for a left-turn lane.

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89- 005

Being a By-law to establish a Special Committee for the North/South - East/West Transportation Corridor.

WHEREAS the Council at its meeting on September 15, 1987 agreed to establish a Special Committee to deal with North/South - East/West Transportation Corridor.

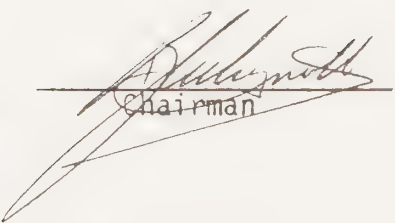
WHEREAS the Council may, pursuant to Section 12 of The Regional Municipality of Hamilton-Wentworth Act, establish standing or other committees and assign to them such duties as it considers expedient.

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. There is established a Special Committee of Council to be known as the FREEWAY STEERING COMMITTEE with the responsibility to recommend to Council on all matters within the jurisdiction of the Regional Municipality respecting the North/South - East/West Transportation Corridor.
2. The Special Committee so established shall consist of 9 members of Council, and shall be comprised as follows:

A representative from Wards 4, 5, 6, 7, and 8
of the City of Hamilton
A representative from the Town of Ancaster
A representative from the Township of Glanbrook
A representative from the City of Stoney Creek
The Chairman of the Engineering Services Committee

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED
this 17th day of January , 1989.


Chairman
Clerk

Approved
as to form

Regional
Solicitor

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-006

TO AUTHORIZE THE ISSUE OF INSTALMENT DEBENTURES IN
THE AMOUNT OF \$305,000.00 FOR THE PURPOSES OF THE
CORPORATION OF THE CITY OF HAMILTON

WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth (hereinafter called "the Regional Corporation") has received a request from the Corporation of the City of Hamilton to borrow money for the purposes set out in Column 1 of Schedule "A", hereto annexed, and the issue of debentures for such purposes in the amounts set out in Column 8 of the said Schedule "A";

AND WHEREAS the Ontario Municipal Board has authorized the issue of debentures for such purposes in the amounts set out in Column 5 of the said Schedule "A";

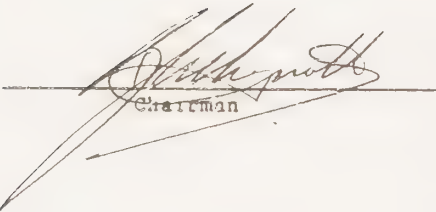
AND WHEREAS for such purposes, it is expedient to issue debentures on the credit of the Regional Corporation and the six Area Municipal Corporations of which the Region is composed, in the principal amount of \$305,000 as set out in Column 8 of the said Schedule "A", such debentures being payable within the term of years set out in Column 2 of said Schedule "A" as required by the Orders of the Ontario Municipal Board listed in Column 4 of the said Schedule "A", and being issued on the terms herein set forth;

NOW THEREFORE, THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. The borrowing of the sum of \$305,000 for the purposes of the Corporation of the City of Hamilton, set out in Column 1 of Schedule "A", hereto annexed, and the issue of debentures therefor on the credit of the Regional Corporation and the six Area Municipal Corporations, of which the Region is composed, to be repaid in annual instalments during the period of years set out in the said Schedule "A", is hereby authorized and approved.
2. The Chairman and the Treasurer of the Regional Corporation are hereby authorized to cause any number of debentures to be made for such sums of money as may be required for the purposes aforesaid, not exceeding, in total, the said sum of \$305,000 and the said debentures shall be sealed and signed in accordance with the provisions of the Regional Municipality of Hamilton-Wentworth Act, R.S.O., 1980, Chapter 437 (hereinafter called "the Act").
3. The said debentures shall all be dated the 20th day of January 1989, shall be issued within two years after the date on which this By-Law is enacted, and as to both principal and interest shall be expressed and be payable in lawful money of Canada. They shall be in fully registered form with provision for payment of principal and interest by cheque sent by post to the registered holder. There shall be one debenture initially issued in the principal amount of \$305,000. The said debenture shall bear interest at the rate of 10.25%, and shall mature during a period of FIFTEEN years from the date thereof and the respective amounts of principal and interest payable in each of the years in such period shall be set forth in Schedule "B", hereto annexed. The said debentures shall bear interest from the date thereof at the annual rate aforesaid, which interest shall be paid annually on the 20th day of January.

4. There shall be raised in each year during the said FIFTEEN-year period from the date of the debentures, by special levies, the total amount of principal and interest for each year set out in the first column of said Schedule "B", and in each year, for the purposes set out in Column 1 of the said Schedule "A", the said yearly amount in the lawful money of Canada shall be and it is hereby levied against the Corporation of the City of Hamilton, and in each year, the Corporation of the City of Hamilton shall pay to the Regional Corporation on or before the due dates, the amount hereby levied against it for the payment of instalments of principal and interest with respect to the said debentures as they severally fall due.
5. (i) The Chairman and the Treasurer are hereby authorized to cause the said debenture to be sold or hypothecated at such price or prices as they may determine and in connection with such sale to do all the things and execute all documents and other papers in the name of the Regional Corporation in order to carry out the sale of or hypothecation of the debenture contemplated by the By-law and the Clerk is authorized to affix the seal of the Regional Corporation to all such documents and papers.
- (ii) The proceeds of the sale or hypothecation of the said debentures shall be applied for the purposes set forth in Column 1 of the said Schedule "A" and for no other purpose..

READ A FIRST, SECOND, AND THIRD TIME AND FINALLY PASSED AND ENACTED this 17th day of January 1989.


Chairman


Clerk

Approved
as to form

Regional
Solicitor

21-Nov-88

PAGE 1

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
SCHEDULE "A" TO BYLAW NO. R89-006
CITY OF HAMILTON-LOCAL IMPROVEMENTS

1 PROJECT	2 TERM IN YEARS	3 AUTHORIZING BY-LAW NUMBER	4 ONTARIO MUNICIPAL BOARD NUMBER	5 DATE	6 AMOUNT OF DEBENTURES AUTHORIZED	7 DEBENTURES ISSUED TO DATE	8 OUTSTANDING AUTHORIZATION	9 DEBENTURES TO BE ISSUED AT THIS TIME
Local Improvements								
Concrete Curb Only								
CONSTRUCTION OF INDEPENDENT CURB ON UPPER PARADISE FROM HADELAND AVE TO APPROX. 152M NORTHERLY (EAST SIDE ONLY)	15	87-202	E870279	MAR 20/87 AUG 19/86	21,500.00		21,500.00	6,647.17
Concrete Alleyway								
CONSTRUCTION OF CONCRETE ALLEY FIRST SOUTH OF BRISTOL ST. RUNNING FROM SANFORD TO MINTO	15	86-188	E860041	JAN 27/87 AUG 19/88	78,240.00	9,432.43	68,807.57	5,410.64
CONSTRUCTION OF CONCRETE ALLEY FIRST EAST OF LOCKE ST. RUNNING FROM CHARLTON TO ALEXANDER ST.	15	86-186	E860043	MAR 26/86	16,100.00		16,100.00	2,982.15
CONSTRUCTION OF CONCRETE ALLEY IN BLOCK BOUNDED BY KENSINGTON ROXBOROUGH, ROSSLYN & DUNSMUIRE RD.	15	86-301	E860424	JUL 30/86	48,800.00		48,800.00	18,639.22
CONSTRUCTION OF CONCRETE ALLEY FIRST, SOUTH OF ABERDEEN AVE. RUNNING FROM CHEDORE AVE. TO FLATT AVE.	15	86-300	E860580	JUL 31/86	22,000.00		22,000.00	4,213.26
CONSTRUCTION OF CONCRETE ALLEY IN BLOCK BOUNDED BY BEECHWOOD, BARNSDALE, ROSEMONT & SHERMAN AVES.	15	86-302	E860579	JUL 31/86	72,000.00		72,000.00	20,114.28

21-NOV-88

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REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
SCHEDULE "A" TO BYLAW NO. K89-006
CITY OF HAMILTON-LOCAL IMPROVEMENTS

1 PROJECT	2 TERM IN YEARS	3 AUTHORIZING BY-LAW NUMBER	4 ONTARIO MUNICIPAL BOARD DATE	5 AMOUNT OF DEBENTURES AUTHORIZED	6 DEBENTURES ISSUED TO DATE	7 OUTSTANDING AUTHORIZATION	8 DEBENTURES TO BE ISSUED AT THIS TIME
CONSTRUCTION OF CONCRETE ALLEY IN BLOCK BOUNDED BY (1) AFTON AVE., PROSPECT ST., HARLEWOOD AVE. & CEDAR AVE. (2) PROVINCE ST. N., DUNSMUIRE PARK ROW NORTH & ROXBOROUGH AVE	15	87-200	MAR 20/87	76,000.00		76,000.00	13,134.58
CONSTRUCTION OF CONCRETE ALLEY IN BLOCK BOUNDED BY ROSSLIN AVE ROXBOROUGH AVE., KENSINGTON AVE & CANNON ST.	15	87-203	MAR 20/87	32,000.00		32,000.00	11,866.08
CONSTRUCTION OF CONCRETE ALLEY FIRST NORTH OF MAIN RUNNING FROM CARRICK AVE. TO SPADINA	15	87-201	MAR 20/87	19,000.00		19,000.00	3,453.86
Finished Road (with curb only)				(3)		(3)	(3)
FINISHED ROAD ON: (1) UNSWORTH DR. FROM UPPER OTTAWA TO HEMSTEAD DR. (2) HEMSTEAD DR. FROM 152M WEST OF NEBO RD. TO UNSWORTH (3) LANCING DR. FROM 76M WEST OF NEBO RD. TO HEMSTEAD DR.	15	81-209	JUN 03/81	407,640.00		407,640.00	83,045.37
FINISHED ROAD ON LIMERIDGE RD. FROM 56M WEST OF CENTRE LINE OF INTERSECTION AT KINGFISHER TO 225M WEST OF UP. WELLINGTON	15	82-211	SEP 01/82	497,600.00		497,600.00	96,211.87
FINISHED ROAD ON UP. KENILWORTH FROM LIMERIDGE - 324M SOUTHERLY	15	83-320	OCT 27/83	255,000.00		255,000.00	39,299.52
TOTAL				1,345,880.00	9,432.43	1,536,447.57	305,000.00

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
SCHEDULE "B" TO BY-LAW NO. R89-006

CITY OF HAMILTON - REPAYMENT SCHEDULE

PURPOSE: Local Improvement Debenture Issue

DATE: January 1989
PRINCIPAL: \$305,000.00
INTEREST: 10.25%
TERM (YEARS) 15

YEAR	PRINCIPAL PAYMENT	INTEREST PAYMENT	TOTAL ANNUAL PAYMENT	OUTSTANDING PRINCIPAL
PRE-1989				\$305,000.00
1990	\$9,410.91	\$31,262.50	\$40,673.41	295,589.09
1991	10,375.53	30,297.88	40,673.41	285,213.56
1992	11,439.02	29,234.39	40,673.41	273,774.54
1993	12,611.52	28,061.89	40,673.41	261,163.02
1994	13,904.20	26,769.21	40,673.41	247,258.82
1995	15,329.38	25,344.03	40,673.41	231,929.44
1996	16,900.64	23,772.77	40,673.41	215,028.80
1997	18,632.96	22,040.45	40,673.41	196,395.84
1998	20,542.84	20,130.57	40,673.41	175,853.00
1999	22,648.48	18,024.93	40,673.41	153,204.52
2000	24,969.95	15,703.46	40,673.41	128,234.57
2001	27,529.37	13,144.04	40,673.41	100,705.20
2002	30,351.13	10,322.28	40,673.41	70,354.07
2003	33,462.12	7,211.29	40,673.41	36,891.95
2004	36,891.95	3,781.46	40,673.41	0.00
TOTAL	\$305,000.00	\$305,101.15	\$610,101.15	

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R90-007

BEING A BY-LAW TO AMEND BY-LAW R89-049 BY
IMPLEMENTING THE 1990 OVERSTRENGTH SEWAGE
RATES

WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth, at its meeting of December 19, 1989, did approve of Item No. 22 of Report No. 20-89 of the Engineering Services Committee which authorized Schedule "D" of Regional By-law No. R89-049 to be amended to reflect the cost of treatment of six parameters, namely B.O.D., Suspended Solids, Phenolic Compounds, Solvent Extractable Matter, Kjeldahl Nitrogen and Phosphorous;

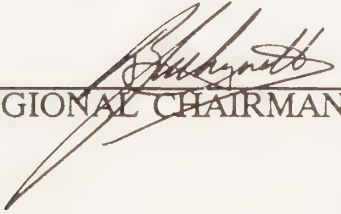
WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth, at its meeting of January 16, 1990, did approve of Item No. 7 of Report No. 1-90 of the Finance and Personnel Committee which authorized the rates for processing overstrength sewage to be increased by 5% effective January 1, 1990;

AND WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth, at its said meeting of January 16, 1990 did also authorize that Regional By-law R89-049 be amended to reflect the said increased rates for processing overstrength sewage;

NOW THEREFORE THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH HEREBY ENACTS AS FOLLOWS:

1. That Schedule "D" to Regional By-law R89-049 is hereby repealed and that the Schedule attached to this By-law be substituted therefor.
2. In all other respects, the contents of Regional By-law R89-049, as amended, are hereby confirmed unchanged.
3. That this By-law comes into force and takes effect on January 1, 1990.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND
ENACTED THIS 16th DAY OF January , 1990.


REGIONAL CHAIRMAN


REGIONAL CLERK

Approved
as to form

Regional
Solicitor

SCHEDULE "D"

SCHEDULE OF FEES

(REFERRED TO IN SECTIONS 4, 7 AND 8)

1. Fee for an annual permit to discharge hauled sewage \$ 36.00
2. Discharge fees for hauled sewage
 - a) Waste Transportation Systems with contents to be discharged only at Woodward and Dundas Sewage Treatment Plants and in compliance with Section 4(1):

Woodward Avenue Sewage Treatment Plant	\$ 14.00 per load
Dundas Sewage Treatment Plant	\$ 14.00 per load
 - b) Waste Transportation Systems with contents to be discharged in compliance with Section 4(1), other than B.O.D. and Suspended Solids:

Woodward Avenue Sewage Treatment Plant	\$ 7.00/2500 litres, or part thereof, of the net capacity of the vehicle making such discharge (with a minimum charge of \$14.00)
Mountain Transfer Station	\$ 2.80/1000 Kg. (with minimum charge of \$ 14.00)
 - c) Holding Tanks of Recreational Vehicles \$ 7.00

Schedule "D" continued

3. Overstrength Discharge Fees

a)	B.O.D.	29.03 cents/Kg.
b)	Suspended Solids	23.71 cents/Kg.
c)	Phenolic Compounds	29.03 cents/Kg.
d)	Solvent Extractable Matter	24.77 cents/Kg
e)	Kjeldahl Nitrogen	106.68 cents/Kg.
f)	Phosphorous	71.13 cents/Kg.

4. Compliance Program Fees

a)	B.O.D.	29.03 cents/Kg.
b)	Suspended Solids	23.71 cents/Kg.
c)	Phenolic Compounds	29.03 cents/Kg.
d)	Solvent Extractable Matter	24.77 cents/Kg.
e)	Kjeldahl Nitrogen	106.68 cents/Kg.
f)	Phosphorous	71.13 cents/Kg.

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-008

Being a By-law to amend Regional By-law No. R87-032, being a By-law to authorize the undertaking of improvements on Regional roads.

WHEREAS the Region by its Council at a meeting held on September 20, 1988, did approve the amending of the financing of two road improvement items set out in Schedule "A" to Regional By-law No. R87-032;

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. That Schedule "A" to By-law No. R87-032 be amended by repealing the information under the headings, "Estimated Cost" and "Amount To Be Debentured" and adjacent to "Complete reconstruction with Major Storm Sewer Work of York Road, from Cameron Avenue to Hunter Avenue" under the heading "Description Of Work, Dundas" and substituting the following:

\$987,000 under Estimated Cost
\$730,500 under Amount To Be Debentured

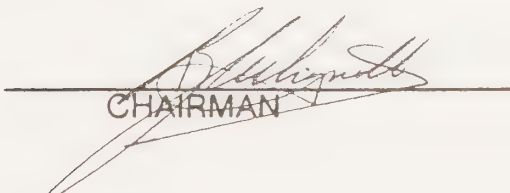
- 2(a) That Schedule "A" to By-law No. R87-032 be amended by repealing the information under the headings, "Estimated Cost" and "Amount To Be Debentured" and adjacent to "Contribution to Regular Capital Program" under the heading, "Region Wide" and substituting the following:

\$4,532,500 under Estimated Cost
\$4,532,500 under Amount To Be Debentured

- (b) The sum of \$100,000 adjacent to "Main Street - Paradise to Haddon" and substituting the sum of \$14,500.

3. That in all other respects Regional By-law No. R87-032 and Schedule "A" thereto, as amended, are hereby confirmed unchanged.

ENACTED READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSES AND
this 17th day of January, ~~1988~~ 1989.



CHAIRMAN

CLERK

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-009

Being a By-law to amend Regional By-law No. R87-032, being a By-law to authorize the undertaking of improvements on Regional roads.

WHEREAS the Region by its Council at a meeting held on September 20, 1988, did approve the amending of the financing of two road improvement items set out in Schedule "A" to Regional By-law No. R87-032;

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. That Schedule "A" to By-law No. R87-032 be amended by repealing the information under the headings, "Estimated Cost" and "Amount To Be Debentured" and adjacent to "Complete reconstruction with Major Storm Sewer Work of York Road, from Cameron Avenue to Hunter Avenue" under the heading "Description Of Work, Dundas" and substituting the following:

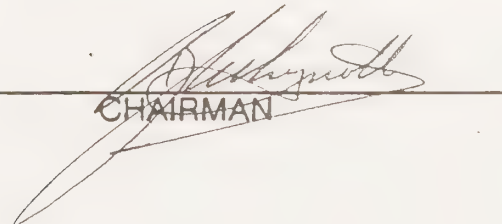
\$987,000 under Estimated Cost
\$730,500 under Amount To Be Debentured

- 2(a) That Schedule "A" to By-law No. R87-032 be amended by repealing the information under the headings, "Estimated Cost" and "Amount To Be Debentured" and adjacent to "Contribution to Regular Capital Program" under the heading, "Region Wide" and substituting the following:

\$4,532,500 under Estimated Cost
\$4,532,500 under Amount To Be Debentured

- (b) The sum of \$100,000 adjacent to "Main Street - Paradise to Haddon" and substituting the sum of \$14,500.
3. That in all other respects Regional By-law No. R87-032 and Schedule "A" thereto, as amended, are hereby confirmed unchanged.

ENACTED READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSES AND
this 17th day of January, ~~1988~~ 1989.



CHAIRMAN



CLERK

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-010

A Code of Conduct for Members of Council of the
Regional Municipality of Hamilton-Wentworth

WHEREAS Section 104 of the Municipal Act provides that every council may pass by-laws and make regulations for governing the proceedings of the council, the conduct of its members and the calling of meetings; and

WHEREAS Section 13 of the Regional Municipality of Hamilton-Wentworth Act R.S.O. 1980 provides that the Regional Council may pass by-laws for governing the proceedings of the Regional Council and any of its committees, the conduct of its members and the calling of meetings; and

WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth at its meeting held on Friday, September 30, 1988, received the report from the Special Committee on the Code of Conduct for members of Council; and

WHEREAS one of the recommendations of the report so received was that Council adopt by By-law a Code of Conduct as set out in that report; and

WHEREAS the Legislation and Reception Committee of the Regional Municipality of Hamilton-Wentworth at its meeting held on Tuesday, January 10, 1989 recommended the adoption of a Code of Conduct for the Members of Council of the Regional Municipality of Hamilton-Wentworth through By-law.

NOW THEREFORE, THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. Declaration of Policy

In a democracy, government should be open, accessible, equitable, and efficient. Democratic government requires that elected officials be independent, impartial, and responsible to the people. Government decisions and policy must be made through the appropriate channels of government structure. Public office must not be used for personal gain. The public must have confidence in the integrity of its government.

2. Declaration of Purpose

In order to strengthen the democratic operation of The Regional Municipality of Hamilton-Wentworth and to enhance public trust in that government, this Code supplements existing federal and provincial legislation in a manner consistent with that legislation. Members of Regional Council hold office for the benefit of the public and their conduct must be of the highest standard. Moreover, members must be seen to be acting in the public interest.

3. Definitions

In this By-law, the following words shall have the meanings as set out below:

(1) "Financial Disclosure Statement" means a written declaration of assets, liabilities, and income by members as required in 5(3) of this Code;

(2) "Member" means member of the Council of the Regional Municipality of Hamilton-Wentworth;

(3) "Official Duties" means those obligations consequent to being a member of Regional Council at law and as defined in provincial legislation and in by-laws of the Regional Municipality of Hamilton-Wentworth;

(4) "Personal Direct Holdings" means those holdings with which one has the ability to benefit and over which one has the power to direct, control, convert, invest, trade or govern;

(5) "Significant Interests in a Public Corporation" are holdings in excess of .1 of 1 percent of the shares of such a corporation;

(6) "Spouse" means:

One of two persons who,

a) are married to each other, or

b) have entered into a marriage that is void or voidable, in good faith on the part of such persons; and

One of two persons who are not married to each other and have cohabitated,

a) continuously for a period of not less than one year, or

b) in a relationship of some permanance, if they are the natural or adoptive parents of a child.

4. Prohibited Conduct

(1) Conflicts of Interest

- a) General - No Member shall engage in any activity, financial or otherwise, which is incompatible with the proper discharge of his/her Official Duties in the public interest.
- b) Specific - Without limiting the generality of 4(1)(a) the following behaviour is expressly prohibited:
 - i) No Member shall use information gained in the execution of his/her office that is not available to the general public for any purposes other than his/her Official Duties,
 - ii) No Member shall seek or obtain by reason of his/her office any personal privilege or advantage with respect to Regional services not otherwise available to the general public and not consequent to his/her Official Duties,
 - iii) No Member shall act as a paid agent before Council or a committee of Council or any agency, board or commission of the Regional Municipality of Hamilton-Wentworth,
 - iv) No Member shall use the services of Regional employees in work for his/her re-election during hours in which these employees are in the paid employment of the Region.

(2) Acceptance of Gifts and Hospitality

No Member shall accept gifts and/or hospitality which may have an undue influence on the exercise of his/her Official Duties.

5. Registration of Financial Disclosure Statements

- (1) a) A Member must file a Financial Disclosure Statement with the Regional Clerk within 60 (sixty) days after enactment of this By-law.
- b) Thereafter a Member must file a Financial Disclosure Statement with the Regional Clerk within 60 (sixty) days after his/her election.
- (2) Financial Disclosure Statements shall be kept in a Registry in the Regional Clerk's Office and shall be made available to the public during normal business hours.
- (3) The Financial Disclosure Statement shall apply to each member and shall include the following Personal Direct Holdings of the Member and his/her spouse:
 - a) Real estate holdings in the municipality; and
 - b) Mortgages directly held in the municipality; and
 - c) Shares in private corporations; and
 - d) Significant interests in public corporations;and the following information:
 - e) Names of every person, corporation or subsidiary, partnership, or organization from which remuneration of over \$1,000 per annum is obtained; and
 - f) Names of creditor(s) where debt exceeds \$10,000.
- (4) Where, after the filing of a Financial Disclosure Statement a Member or his/her spouse disposes of or acquires an asset or liability mentioned in 5(3), the Member must file a further Financial Disclosure Statement disclosing the acquisition or disposal within 90 (ninety) days of that acquisition or disposal.

6. Enforcement

- (1) Complaints regarding contraventions of this Code must be in writing addressed to the Regional Clerk and may be made by any citizen including Members of Regional Council.
- (2) The Regional Commissioner of Legal Services shall have the responsibility for enforcing this Code.

7. Penalty/Fine

Any person; whether in person or through an agent, representative, or employee; who contravenes any section of this Code is guilty of an offence and on conviction is liable to a fine of not more than \$2000.

8. Distribution of the Code of Conduct

- (1) It is the responsibility of the Regional Clerk to deliver to each Member a copy of the Code of Conduct within 48 (forty-eight) hours of enactment of this By-law, and thereafter within 48 (forty-eight) hours of each Member's election.
- (2) The Regional Clerk shall make this Code available to any member of the public who requests a copy of it.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED THIS
17th DAY OF January , 1989 .



CHAIRMAN



CLERK

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-011

To confirm the proceedings of the Council at its meeting held on the following date:

THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. The Action of the Council at its meeting held on the 17th day of January, 1989, in respect of each recommendation contained in the Reports of its Committees.

<u>NAME</u>	<u>NO.</u>	
Special Airport Committee Report	01-89	
Economic Development and Planning Committee Report	01-89	
Engineering Services Committee Report	01-89	as amended
Finance and Personnel Committee Report	01-89	
Freeway Steering Committee Report	01-89	
Health and Social Services Committee Report	01-89	
Information Systems Committee		by motion
Legislation and Reception Committee Report	01-89	as amended

and Regional Officials

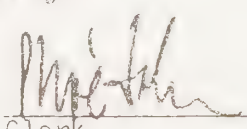
<u>NAME</u>	<u>NO.</u>
Chairman's Report	01-89

considered by Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the Council at its said meetings, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Chairman of the Council and the proper officials of the Regional Municipality are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and, except where otherwise provided, the Chairman, the Clerk and the Treasurer are hereby directed to execute all documents necessary in that behalf, and the Clerk is hereby authorized and directed to affix the Corporate Seal of the Regional Corporation to all such documents.

READ A FIRST, SECOND AND THIRD TIME and Finally Passed and Enacted this 17th, day of January 1989.


Chairman


Clerk

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-012To Permit the Erection and Maintenance of
Objects Upon a Regional Road

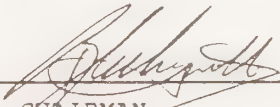
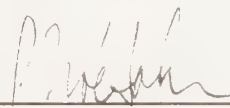
WHEREAS Section 309(3) of the Municipal Act, R.S.O. 1980, Chapter 302, as amended, provides that the Council of every municipality may pass by-laws for permitting any person to place, construct, install, maintain, and use objects in, on, under, or over highways under such conditions as may be agreed upon for prescribing the terms and conditions upon which the same are to be placed, constructed, installed, maintained, or used, and for making such annual or other charge for the privilege conferred by the by-law as it considers reasonable,

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. The applicants, Thomas Robert Mildren and Brian Mark Mildren, residing at 6 Watchgate Court, Dundas, Ontario, and being the Owners of the said premises at 335-359 Cannon Street, Hamilton, Ontario, are hereby granted the privilege of erecting and maintaining the existing two-storey building upon the highway allowance of Cannon Street East upon the terms and conditions contained in the agreement hereto as Schedule I.
The Regional Chairman, Regional Clerk and Regional Treasurer are hereby authorized to sign and execute all necessary documents to implement this By-law.
3. Schedule I attached to this By-law is included in and shall be considered part of this By-law.
4. This By-law shall come into force and take effect on the date of its passing and enactment.

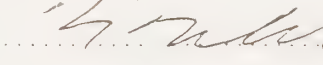
READ A FIRST, SECOND and THIRD TIME and FINALLY PASSED and ENACTED

this 7th day of February 1989.


CHAIRMAN
CLERK

Approved
as to form

Regional
Solicitor

FOR OFFICE USE ONLY	(1) Registry ☒ Land Titles ☐		(2) Page 1 of _____ pages	
	(3) Property Identifier(s) _____ Block _____ Property _____		Additional: See Schedule ☐	
	(4) Nature of Document ENCROACHMENT AGREEMENT			
	(5) Consideration SEE ATTACHED SCHEDULE Dollars \$			
	(6) Description LOT 26, PLAN 235, IN THE CITY OF HAMILTON, IN THE REGIONAL MUNICIPALITY OF HAMILTON WENTWORTH.			
New Property Identifiers Additional: See Schedule ☐		(7) This Document Contains: (a) Redescription New Easement Plan/Sketch ☐ (b) Schedule for: Description ☐ Additional Parties ☐ Other ☐		
Executions Additional: See Schedule ☐		(8) This Document provides as follows: SEE ATTACHED SCHEDULE "1"		
Continued on Schedule ☐				
(9) This Document relates to instrument number(s) _____				
(10) Party(ies) (Set out Status or Interest)				
Name(s)		Signature(s)		Date of Signature Y M D
THE REGIONAL MUNICIPALITY		Approved _____		
OF HAMILTON-WENTWORTH		as to form CHAIRMAN		
		Regional SOLICITOR REGIONAL CLERK		
		COMMISSIONER OF FINANCE		
(11) Address for Service 119 King Street W., P.O. Box 910, Hamilton, Ontario L8N 3V9				
(12) Party(ies) (Set out Status or Interest)				
Name(s)		Signature(s)		Date of Signature Y M D
MILDREN, Brian Mark				1988 12 09
MILDREN, Thomas Robert				1988 12 09
as joint tenants				
(13) Address for Service 6 Watchgate Court, Dundas, Ontario, L9H 1C1 not assigned				
(14) Municipal Address of Property 355-359 Cannon Street E. HAMILTON, Ontario L8L 2C1		(15) Document Prepared by: The Regional Municipality of Hamilton-Wentworth 71 Main St. W. HAMILTON, Ontario L8N 3T4		
		FOR OFFICE USE ONLY		
		Fees and Tax		
		Registration Fee		
		Total		

THIS AGREEMENT made this day of 19

B E T W E E N:

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH,

Hereinafter called "the Region" of the First Part,

- and -

BRIAN MARK MILDREN and THOMAS ROBERT MILDREN

Hereinafter called "the Applicant" of the Second Part.

WHEREAS the Applicant is the registered owner of the property known municipally as 355-359 Cannon Street East, in the of City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, more particularly described in Schedule "A" attached hereto;

AND WHEREAS Section 309(3) of the Municipal Act, R.S.O. 1980, Chapter 302, as amended, provides that the Council of every municipality may pass by-laws for permitting any person to place, construct, install, maintain, and use objects in, on, under, or over highways under such conditions as may be agreed upon;

AND WHEREAS the Regional Municipality of Hamilton-Wentworth did by By-law # on the day of 19 approve the privilege hereinafter permitted to the Applicant, which application for privilege was presented at the meeting of the Council on the said date as Item in a Report to the Regional Council of the Engineering Services Committee.

NOW THEREFORE the parties hereby covenant and agree as follows:

1. That the Applicant, being the owner of the premises at 355-359 Cannon Street East, (more particularly described in Schedule "A" attached hereto) may, during the pleasure of Regional Council, retain the encroachment of:

(i) an existing two-storey building measuring 0.206 m X 9.25 m

(hereinafter referred to collectively as "the works")

onto the road allowance of Cannon Street East, as shown on a sketch attached hereto as Schedule "B", but so as not to interfere with the free and safe passage of persons and vehicles using the said road allowance.

2. All fees, costs, and expenses due and payable by the applicant to the Region, or paid or incurred by the Region under this agreement may in the event of default of such payment be recovered by the Region by distraint or lawsuit and the Region may in addition, thereupon terminate the agreement as provided in paragraph 12.

3. The sum of \$109.00 shall be due payable in advance to the Region immediately after the date of approval of the privilege at the Meeting of the said Regional Council.

4. The Applicant shall pay to the Region yearly and every year during the currency of this agreement the annual sum or fee of \$ NIL or as may be determined by By-law from time to time in advance on the 1st day of January in each year, with the exception of the first payment which shall be made upon execution of this agreement.

5. The Applicant shall and does hereby at all times covenant to indemnify and save harmless the Region from and against all actions, causes of action, interest, claims, demands, costs, damages, expenses, or loss which the Region may bear, suffer or be put to by reason of any damage to property or injury or death to any person as a result of the privilege herein allowed to the Applicant. At the time of the execution of this agreement, the Applicant shall deliver to the Region an endorsement from its general liability insurance policy confirming that the Region has been named as an additional insured for third party bodily injury and property damage arising out of the granting of this agreement to a limit of \$1,000,000. This policy shall be kept in force, by the Applicant during the term of this agreement. Upon written request of the Region, the Applicant shall forthwith deliver to the Region endorsements for the aforesaid policy current for that year.

6. The Applicant acknowledges that he is liable to pay all taxes, charges, duties, rates, levies, and business taxes assessed in respect to the occupation or use of the road allowance abutting the lands described in Schedule "A", the works herein allowed to the Applicant on, over, or under the said road allowance, arising pursuant to the Assessment Act. R.S.O. 1980, chapter 31 as amended, and to the Local Improvement Act. R.S.O. 1980 chapter 250 as amended, as and when the same become due and payable.

7. In no case whatsoever shall compensation be payable to the Applicant for improvements (if any) to the road allowance.

8. The Applicant shall at all times keep and maintain the works in a good and proper state of repair and safety.

9. Only the works herein authorized may be erected by the Applicant.

10. The design, construction, and location of the said works, shall be previously approved by the Commissioner of Engineering hereinafter referred to as the Commissioner, and shall be erected and maintained in all respects by the Applicant to the approval of the Commissioner, but the fact that the Commissioner shall have been satisfied with the design, location and construction shall in no way discharge or modify any liability or obligation of the applicant that may arise from this agreement.

11. If on the erection of the said works any act or thing shall be contrary to the order or direction of the Commissioner or if any act or thing shall be done of which the Commissioner shall disapprove or if in the opinion of the Commissioner the Applicant shall fail to maintain the said works in a safe condition, the Commissioner shall verbally or in writing require the Applicant to alter or repair the same and if same shall not be altered or repaired within forty-eight hours after such requirement or if the Applicant shall neglect or refuse to remove the said works or things

within 30 days after notice to remove the same shall have been delivered or posted as mentioned in paragraph 17 of this agreement, then and in any such case the Region may cause the required work to be done either by its own servants or by some other person and the cost of any such work may be recovered by the Region as set out in paragraph 2 of this agreement.

12. This agreement may be terminated at any time by the Region or the Applicant for any reason after the delivery to the other of written notice of its intention to terminate at least thirty days prior to such termination.

13. Within 30 days of the delivery by the Applicant to the Region of notice of its intention to terminate this agreement or upon receipt of such notice from the Region, the applicant shall remove the said works and restore that part of the road allowance occupied by the works in a condition acceptable to the Commissioner. If the Applicant defaults to perform such work of removal and restoration, then the Region may perform the same and recover its costs as set out in paragraph 2 and/or by such legal action as it deems necessary.

14. The Applicant shall observe and comply with all parliamentary and legislative enactments and with all by-laws and regulations of the Region or the City of Hamilton (Area Municipality) and all notices, orders and demands given by the Region through its Commissioner respecting the subject lands and the works thereon.

15. This Agreement is subject to all rights now or that may hereafter be vested in the Region, the City of Hamilton (Area Municipality) or in any gas, telephone, telegraph, electric light, or other utility Company, in respect of the care and improvement of the streets, the construction, repair, replacement or removal of sewers, mains, culverts, drains, water or gas pipes or the placing of poles or wires (herein called "services"), therein.

The Region expressly reserves to itself the right to construct services or permit services to be constructed therein. The Applicant shall not be entitled to any damages by reason of the exercise of the Region's rights contained in this paragraph and the Applicant shall at his own expense carry out such alteration of the Works as the Regional Authority may direct.

16. No length of time or of enjoyment by the Applicant shall enure to give any right, title or interest to the Applicant or his successors in title, in the subject lands or to maintain the said works on, under, across or above (as the case may be) the said road allowance or shall deprive the Region by the operation of any limitation period or otherwise of any right to require the removal thereof the restoration of the road allowance.

17. Any notice to be given to the Region shall be delivered or posted by prepaid mail addressed to:

The Regional Clerk
The Regional Municipality of Hamilton-Wentworth
119 King Street West, 15th Floor, P.O. Box 910
Hamilton, Ontario
L8P 4T9

or such other addresses as may hereinafter be assigned.

Any notice to be given to the Applicant shall be delivered or posted by prepaid mail addressed to the Applicant at:

6 Watchgate Court
DUNDAS, Ontario
L9H P.C. not assigned

18. The word "Applicant" in this agreement means the Applicant named herein including the person in possession of the property set out in Schedule "A" attached hereto, it being agreed that this Agreement shall be binding upon the heirs, executors, administrators, successors, tenants, lessees, and assigns of the Applicant.

19. This Agreement is to be read with all the changes made necessary by the gender, number or corporate status of the Applicant herein.

IN WITNESS WHEREOF The Regional Municipality of Hamilton-Wentworth has hereunto affixed its corporate seal attested by the hands of its duly authorized officials in that behalf;

AND IN WITNESS WHEREOF, the Applicant has hereunto, set his
hand and seal.

SIGNED, SEALED AND DELIVERED)
in the Presence of)

.....*James J. [Signature]*.....)

.....*Vernon [Signature]*.....)

APPLICANT:)

[Signature]
Brían Mark Mildren)

[Signature]
Thomas Robert Mildren)

THE REGIONAL MUNICIPALITY OF
HAMILTON-WENTWORTH

Approved:)

Chairman)

Commissioner of Finance)

Clerk)

[Signature]
APPROVED
DEPARTMENT OF ENGINEERING

January 1988

Approved
as to form
[Signature]
Regional
Solicitor

SCHEDULE "A"

DESCRIPTION OF LANDS

Lot Number 26, Plan 235, in the City of Hamilton, in the
Regional Municipality of Hamilton-Wentworth,

SKETCH OF "WORKS"

355-359 Cannon Street East, Hamilton, Ontario, L8L 2C1



* NOTE: THIS IS NOT A PLAN OF SURVEY

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. ^R89-013To Permit the Erection and Maintenance of
Objects Upon a Regional Road

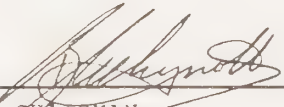
WHEREAS Section 309(3) of the Municipal Act, R.S.O. 1980, Chapter 302, as amended, provides that the Council of every municipality may pass by-laws for permitting any person to place, construct, install, maintain, and use objects in, on, under, or over highways under such conditions as may be agreed upon for prescribing the terms and conditions upon which the same are to be placed, constructed, installed, maintained, or used, and for making such annual or other charge for the privilege conferred by the by-law as it considers reasonable,

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. The applicant, Canadian Liquid Air Ltd., residing at 850 Burlington Street East, Hamilton, and being the Owner of the said premises, is hereby granted the privilege of installing and maintaining 100 mm diameter gaseous oxygen pipeline and 100 mm diameter nitrogen pipeline encroachments upon the highway allowance of Birch Avenue North, Hamilton, upon the terms and conditions contained in the agreement hereto as Schedule I.
2. The Regional Chairman, Regional Clerk and Regional Treasurer are hereby authorized to sign and execute all necessary documents to implement this By-law.
3. Schedule I attached to this By-law is included in and shall be considered part of this By-law.
4. This By-law shall come into force and take effect on the date of its passing and enactment.

READ A FIRST, SECOND and THIRD TIME and FINALLY PASSED and ENACTED

this 7th day of February 1989.


CHAIRMAN
CLERK

Approved
as to form

Regional
Solicitor

FOR OFFICE USE ONLY	(1) Registry ☒ Land Titles ☐	(2) Page 1 of _____ pages
	(3) Property Identifier(s)	Block _____ Property _____
	(4) Nature of Document ENCROACHMENT AGREEMENT	
	(5) Consideration See attached Schedule "1" Dollars \$	
	(6) Description See Attached Schedule "A" of Schedule "1"	
	New Property Identifiers _____ Additional: See Schedule ☐ Executions _____ Additional: See Schedule ☐	
(7) This Document Contains: (a) Redescription New Easement Plan/Sketch ☐ (b) Schedule for: Description ☒ Additional Parties ☐ Other ☐		

(8) This Document provides as follows:

See Attached Schedule "1"

Continued on Schedule ☐

(9) This Document relates to instrument number(s) _____

(10) Party(ies) (Set out Status or Interest) Name(s)	Signature(s)	Date of Signature Y M D
THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH	CHAIRMAN REGIONAL CLERK COMMISSIONER OF FINANCE	

(11) Address for Service: P.O. Box 910, 119 King St. W., Hamilton, Ontario L8N 3V9

(12) Party(ies) (Set out Status or Interest) Name(s)	Signature(s)	Date of Signature Y M D
CANADIAN LIQUID AIR LTD. 1155 Sherbrooke West MONTREAL, (Quebec) H3A 1H8	A.G. Dyke, Executive Vice President <i>J. Pierre Girouard</i> J. Pierre Girouard, Secretary	1988 12 02

(13) Address for Service: _____

(14) Municipal Address of Property Canadian Liquid Air 850 Burlington St. East Hamilton, Ontario L8L 7Y1	(15) Document Prepared by: The Regional Municipality of Hamilton-Wentworth Transportation Department 71 Main St. W. HAMILTON, Ontario L8N 3T4	Fees and Tax Registration Fee _____ _____ _____ _____
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Schedule "1"

THIS AGREEMENT made this day of 19

B E T W E E N:

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH,

Hereinafter called "the Region" of the First Part,

- and -

CANADIAN LIQUID AIR LTD.

Hereinafter called "the Applicant" of the Second Part.

WHEREAS the Applicant is the registered owner of the property known municipally as Birmingham Street, in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, more particularly described in Schedule "A" attached hereto;

AND WHEREAS Section 309(3) of the Municipal Act, R.S.O. 1980, Chapter 302, as amended, provides that the Council of every municipality may pass by-laws for permitting any person to place, construct, install, maintain, and use objects in, on, under, or over highways under such conditions as may be agreed upon;

AND WHEREAS the Regional Municipality of Hamilton-Wentworth did by By-law # on the day of 19 approve the privilege hereinafter permitted to the Applicant, which application for privilege was presented at the meeting of the Council on the said date as Item in a Report to the Regional Council of the Engineering Services Committee.

NOW THEREFORE the parties hereby covenant and agree as follows:

1. That the applicant may, during the pleasure of Regional Council, construct, maintain and use pipelines (hereinafter referred to collectively as "the works") for the transmission of gaseous oxygen and nitrogen gas under the road allowances (hereinafter referred to as "the road allowances"), as shown on a sketch attached hereto as Schedule "B".

2. This agreement shall be registered in the Local Land Registry Office for the lands described in Schedule "A" at the expense of the Applicant. A registered duplicate of the agreement will be deposited with the Regional Clerk.

3. All fees, costs, and expenses due and payable by the applicant to the Region, or paid or incurred by the Region under this agreement may in the event of default of such payment be recovered by the Region by distraint or lawsuit and the Region may in addition, thereupon terminate the agreement as provided in paragraph 18.

4. The sum of \$1,406.00 shall be due and payable in advance to the Region immediately after the date of approval of the privilege at the Meeting of the Said Regional Council.

5. The applicant shall pay to the Region yearly and every year during the currency of this agreement the annual sum or fee of \$1,215.00 plus taxes, if applicable, or as may be determined by By-law from time to time in advance on the 1st day of January in each year, with the exception of the first payment which shall be made upon execution of this agreement.

6. The applicant shall use the works for the transmission of gaseous oxygen and gaseous nitrogen only.

7. The Applicant and its works shall not interfere with the use of the road allowance by the Region, the public or by any other person using the road allowance at the consent of the Region. In particular, the Applicant will not interfere with the free and safe passage of persons and vehicles using the said road allowance.

8. The Applicant does hereby at all times covenant to indemnify and save harmless the Region from and against all actions, causes of action, interest, claims, demands, costs, damages, expenses, or loss which the Region may bear, suffer or be put to by reason of any damage to property or injury or death.

9. The Applicant shall, at its own cost, acquire and maintain for the duration of this agreement, comprehensive general liability insurance providing coverage against all third party liability claims including personal injury, bodily injury, property damage, contractual liability and contingent employer's liability. Such coverage shall have inclusive limits of not less than \$2,000,000.00 per claim/occurrence, and shall respond as primary and include a Cross Liability provision. Certified proof of the above-noted insurance must be filed with the Region at least 15 days prior to commencement of this agreement. Further, the policy shall include a provision that Insurers must notify the Region in writing within at least 30 days prior to any material change, cancellation or termination of the said coverage. Within 15 days of each anniversary date of the policy, the applicant shall forward to the Region a renewal certificate.

10. The Applicant acknowledges that it is liable to pay all taxes, charges, duties, rates, levies, and business taxes assessed in respect to the occupation or use of the road allowance abutting the lands described in Schedule "A", and for the works herein allowed to the Applicant on, over, or under the said road allowance, arising pursuant to the Assessment Act. R.S.O. 1980, Chapter 31 as amended, and to the Local Improvement Act. R.S.O. 1980 Chapter 250 as amended, and when the same become due and payable.

11. In no case whatsoever shall compensation be payable to the Applicant for improvements (if any) to the road allowance.

12. The Applicant agrees that in no event will the Region be responsible for any damage to the works howsoever caused.

13. The Applicant shall at all times keep and maintain the works in a good and proper state of repair and safety.

14. Only the works herein authorized may be constructed, maintained, and used by the Applicant.

15. The design, construction and location of the said works, shall be previously approved by the Regional Commissioner of Engineering hereinafter referred to as the Commissioner, and shall be erected and maintained in all respects by the Applicant in accordance with the approval of the Commissioner, but the fact that the Commissioner shall have been satisfied with the design, location and construction shall in no way discharge or modify any liability or obligation of the applicant that may arise from this agreement.

16. If on the erection of the said works any act or thing shall be contrary to the order or direction of the Commissioner or if in the opinion of the Commissioner the Applicant shall fail to maintain the said works in a safe condition, the Commissioner shall verbally or in writing require the Applicant to alter or repair the same and if same shall not be altered or repaired within forty-eight (48) hours after such requirement or if the Applicant shall neglect or refuse to remove the said works or things within 30 days after notice to remove the same shall have been delivered or posted as mentioned in paragraph 23 of this agreement, then and in any such case the Region may cause the required work to be done either by its own servants or by some other person and the cost of any such work may be recovered by the Region as set out in paragraph 3 of this agreement.

17. This agreement may be terminated at any time by the Region or the Applicant for any reason after the delivery to the other of written notice of its intention to terminate at least thirty days prior to such termination.

18. Within 30 days of the delivery by the Applicant to the Region of notice of its intention to terminate this agreement or upon receipt of such notice from the Region, the applicant shall remove the said works and restore that part of the road allowance occupied by the works in a condition acceptable to the Commissioner. If the Applicant defaults to perform such work of removal and restoration, then the Region may perform the same and recover its costs as set out in paragraph 3 and/or by such legal action as it deems necessary.

19. The Applicant shall observe and comply with all provincial and federal parliamentary and legislative enactments and with all by-laws and regulations of the Region or the City of Hamilton and all notices, orders and demands given by the Region through its Commissioner respecting the subject lands and the works thereon.

20. This Agreement is subject to all rights now or that may hereafter be vested in the Region, or the City of Hamilton or in any gas, telephone, telegraph, electric light, or other utility Company, in respect of the road allowance and without limiting the generality of the foregoing in regard to care and improvement of the streets, the construction, repair, replacement or removal of sewers, mains, culverts, drains, water or gas pipes or the placing of poles or wires (herein called "services"), therein. The Region expressly reserves to itself the right to construct services on, in and under the said road allowance. The Applicant shall not be entitled to any damages by reason of the exercise of the Region's rights contained in this paragraph and the Applicant shall at his own expense carry out such alteration of the works as the Regional Authority may direct.

21. The Applicant will, during any maintenance or repair of the works, provide for and maintain free passage for all traffic, to, over and along said street or streets as shown on Schedule B, attached hereto.

22. No length of time or of enjoyment by the Applicant shall enure to give any right, title or interest to the Applicant or his successors in title, in the subject lands or to maintain the said works on, under, across or above (as the case may be) the said road allowance or shall deprive the Region by the operation of any limitation period or otherwise of any right to require the removal thereof the restoration of the road allowance.

23. Any notice to be given to the Region shall be delivered or posted by prepaid mail addressed to:

The Regional Clerk
The Regional Municipality of Hamilton-Wentworth
119 King Street West, 15th Floor, P.O. Box 910
HAMILTON, Ontario
L8P 4T9

or such other address as may hereinafter be assigned. Any notices to be given to the Applicant shall be delivered or posted by prepaid mail addressed to the Applicant at:

Canadian Liquid Air Ltd.
1155 Sherbrooke Street W.
MONTREAL, Quebec
H3A 1H8

24. The word "Applicant" in this agreement means the Applicant named herein including the person in possession of the property set out in Schedule "A" attached hereto, it being agreed that subject to Paragraph 25, this Agreement shall ensure binding upon the heirs, executors, administrators, successors, tenants, lessees, and assigns of the Applicant.

25. The Applicant agrees that it will not sell or transfer the said works or assign the right permitted herein without permission first being obtained from the Region. Without in any way restricting the provisions of this Agreement, this clause shall not apply in the event of the sale of the entire trade, business, undertaking and all properties of the Applicant.

26. This Agreement is to be read with all the changes made necessary by the gender, number or corporate status of the Applicant herein.

IN WITNESS WHEREOF The Regional Municipality of
Hamilton-Wentworth has hereunto affixed its corporate seal
attested by the hands of its duly authorized officials in that
behalf:

AND IN WITNESS WHEREOF, the Applicant has hereunto affixed
its corporate seal under the signatures of its duly authorized
officers in that behalf.

SIGNED, SEALED AND DELIVERED) APPLICANT: CANADIAN LIQUID AIR LTD.
in the Presence of)

.....) 1. A.G. Dyke
) Executive Vice President

[Signature]) 2. *[Signature]*
.....) J. Pierre Girouard,
) Secretary

THE REGIONAL MUNICIPALITY OF
HAMILTON-WENTWORTH

)
)
) Chairman
)
) Commissioner of Finance
)
)
) Clerk

Approved
DEPARTMENT OF ENGINEERING

October, 1988

SCHEDULE "A"

SITUATE in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, in the Province of Ontario being composed of part of the original Township Lot No. 8, in the First Concession of the Township of Barton, now in the City of Hamilton,

COMMENCING at a stone monument planted in the southerly limit of Burlington Street on the division line between Township Lots 7 and 8,

THENCE North Seventy-two Degrees West ($N.72^{\circ}W.$) along the southerly limit of Burlington Street Two Hundred and Two Feet (202') to a point distant Twenty-three Feet (23') Easterly from the easterly face of a brick wall of a one storey red brick factory now erected,

THENCE South Eighteen Degrees Eight Minutes West ($S.18^{\circ}-8'W.$) parallel to and distant Twenty-three Feet (23') from said easterly face of said brick wall One Hundred and Twenty-two Feet and One-half Inches ($122'-1/2"$) to a point distant Three Feet (3') measured northerly from the northerly face of a one storey red brick building now used as a furnace room by the D.A. Brebner Limited,

THENCE North Seventy-two Degrees West ($N.72^{\circ}W.$) and parallel to and distant Three Feet (3') from said northerly face of the northerly wall of the said furnace room Twenty-three Feet (23') to the easterly face of a brick wall as aforescribed,

THENCE South Eighteen Degrees and Eight Minutes West ($S.18^{\circ}-8'W.$) along the easterly face of the easterly wall aforementioned Three Feet (3'),

THENCE North Seventy-two Degrees West ($N.72^{\circ}W.$) Six and one-half inches ($6-1/2"$) to the centre line of a thirteen inch (13") party wall between the factories formerly of D.A. Brebner Limited and Bayner Carriage Company Limited,

THENCE Southerly along the said centre line and the southerly projection thereof One Hundred and Six Feet Seven and Three-quarter Inches ($106'-7-3/4"$) to a point in the northerly limit of the Grand Trunk Railway Company,

THENCE South Sixty-seven Degrees Thirteen Minutes East ($S.67^{\circ}-13'E.$) Forty-one Feet Eight and Three-quarter Inches ($41'-8-3/4"$) to a post,

THENCE following along the curve of the northerly boundary of the lands conveyed to the Hamilton Steel and Iron Company by deed dated 14th June, 1894, to the easterly boundary of said Lot Number Eight (8) Two Hundred and One Feet Eleven Inches ($201'-11"$) to a post,

THENCE northerly along the easterly boundary of aforesaid Lot Number Eight (8) North Eighteen Degrees East ($N. 18^{\circ} E.$) One Hundred and Sixty-one Feet Four Inches ($161'-4"$) more or less to the place of beginning. As in 291261 N.S.

DATED:

19

THE REGIONAL MUNICIPALITY OF

HAMILTON-WENTWORTH

- to -

TWO PARTY ENCROACHMENT

ADDRESS:

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-014

To exempt the occupiers of certain shops from the provisions
of the Regional Store Closing By-law R79-202.

WHEREAS upon application of certain shops outlined on Schedule "A" to this By-law, it has been recommended by the Regional Legislation and Reception Committee that such shops be exempt from the store closing hours on the dates and at the times indicated.

NOW THEREFORE the Council of the Regional Municipality of Hamilton-Wentworth ENACTS AS FOLLOWS:

1. THAT the occupiers of the shops named on Schedule "A" attached to this by-law are hereby exempt from the closing provisions of Section 2(1) (b) of Regional By-law No. R79-202 and may remain open for business on the dates and at the times indicated.
2. THAT all other provisions of Regional By-law No. R79-202 are to remain in full force and effect for the shops described in Schedule "A" of this By-law.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED
this 7th day of February, 1989.

Chairman

Clerk

(2)

SCHEDULE "A"

TO BY-LAW NO. R89-014

Shops referred to in By-law No. R89-014 and located at the respective locations.

THAT the following retail shop(s) in the area municipality of Hamilton be exempted from Regional By-law No. R79-202 for the purpose of holding a special sale on the date(s) and at the time(s) indicated:

1. HAMILTON

Thursday, February 16, 1989
9:00 p.m. to 11:59 p.m.

Bayshore Hobbies

789 King Street W.
Hamilton, Ontario

2. HAMILTON

Friday, February 10, 1989
9:00 p.m. to 11:59 p.m.

Hamilton Appliance Centre

637 Queenston Rd.
Hamilton, Ontario

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-015

Being a By-law to appoint an
Acting Clerk pro tempore
for the Regional Municipality of Hamilton-Wentworth
for the Council meeting of February 21, 1989.

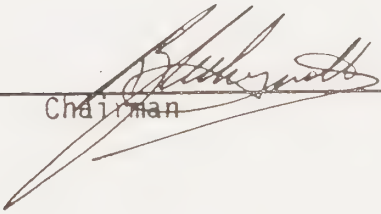
WHEREAS THE CLERK WILL NOT BE IN ATTENDANCE FOR THE FEBRUARY 21, 1989
REGIONAL COUNCIL,

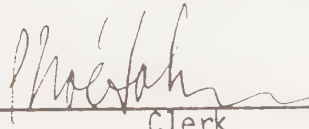
THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS
FOLLOWS:

1. That Ken Pidsadny is appointed Acting Clerk pro tempore for the
Regional Council meeting of February 21, 1989.
2. This By-law shall take effect upon passing by Regional Council.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED

this 7th day of February, 1989.


Chairman


Clerk

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-016

BEING A BY-LAW TO EXPROPRIATE CERTAIN LANDS IN THE CITY OF STONEY CREEK, BEING PART OF LOT 33, CONCESSION 7, IN THE CITY OF STONEY CREEK, IN THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH FOR ROADWAY CONSTRUCTION AND IMPROVEMENTS FOR THE EAST-WEST AND NORTH-SOUTH TRANSPORTATION CORRIDOR.

WHEREAS Section 133 of the Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, Chapter 437, as amended, incorporates by reference Part XIII of the Municipal Act, R.S.O., 1980, Chapter 302, as amended, which includes Section 193 (1) which empowers the Council of a municipal corporation to pass by-laws for expropriating land required for the purposes of the corporation, and

WHEREAS the Regional Municipality of Hamilton-Wentworth, as expropriating authority, made application to the Council of the Regional Municipality of Hamilton-Wentworth on the first day of December 1988 for approval to expropriate Part 2 on Plan 62R-9810 being the lands described in Schedule "A" attached hereto in accordance with the Expropriations Act, R.S.O., 1980, Chapter 148, as amended, and

WHEREAS the Regional Municipality of Hamilton-Wentworth as expropriating authority did serve a Notice of the said Application for Approval to Expropriate upon each registered owner of the said lands and did publish a Notice of the Application for Approval to Expropriate in the Hamilton Spectator, a newspaper having general circulation in the Regional Municipality of Hamilton-Wentworth, in accordance with the Expropriations Act, and

WHEREAS no request for an Inquiry Hearing was made by any of the owners of the lands described in Schedule "A" hereto, and accordingly no Inquiry Hearing has been held, and

WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth as approving authority deems it expedient to grant the Application to Expropriate the said lands;

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

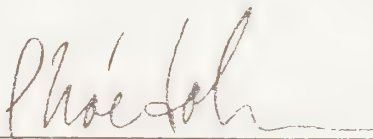
1. That, as approving authority under the Expropriations Act, the said Application for Approval to Expropriate the lands more particularly described in Schedule "A" attached hereto, made by the Regional Municipality of Hamilton-Wentworth as expropriating authority, be and the same is hereby granted and the said

lands being Part 2 on Plan 62R-9810 are hereby expropriated for the purpose of roadway construction and improvements for the East-West and North-South Transportation Corridor.

2. That the Regional Chairman, Clerk and the proper Officials of the Regional Municipality of Hamilton-Wentworth are hereby authorized and directed to do all things necessary to implement and give effect to the provisions of this By-law and this authority shall include the taking of all necessary proceedings to enter and to take possession of the lands hereby expropriated.

ENACTED AND PASSED IN OPEN COUNCIL THIS 7th DAY OF February, 1989.


CHAIRMAN


CLERK

SCHEDULE A TO BY-LAW NO. R89-016

All and singular those lands and premises located in the City of Stoney Creek in the Regional Municipality of Hamilton-Wentworth and the Province of Ontario being composed of Part of Lot 33 in the Seventh Concession of the former Township of Saltfleet, more particularly described as Part 2 according to a Reference Plan received and deposited in the Land Registry Office for the Registry Division of Wentworth (No. 62) as Plan 62R-9810.

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-017

BEING A BY-LAW TO EXPROPRIATE CERTAIN LANDS IN THE CITY OF HAMILTON, BEING PART OF LOT 34, CONCESSION 7, IN THE CITY OF HAMILTON, IN THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH FOR ROADWAY CONSTRUCTION AND IMPROVEMENTS FOR THE EAST-WEST AND NORTH-SOUTH TRANSPORTATION CORRIDOR.

WHEREAS Section 133 of the Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, Chapter 437, as amended, incorporates by reference Part XIII of the Municipal Act, R.S.O., 1980, Chapter 302, as amended, which includes Section 193 (1) which empowers the Council of a municipal corporation to pass by-laws for expropriating land required for the purposes of the corporation, and

WHEREAS the Regional Municipality of Hamilton-Wentworth, as expropriating authority, made application to the Council of the Regional Municipality of Hamilton-Wentworth on the first day of December 1988 for approval to expropriate Part 3 on Plan 62R-6981 being the lands described in Schedule "A" attached hereto in accordance with the Expropriations Act, R.S.O., 1980, Chapter 148, as amended, and

WHEREAS the Regional Municipality of Hamilton-Wentworth as expropriating authority did serve a Notice of the said Application for Approval to Expropriate upon each registered owner of the said lands and did publish a Notice of the Application for Approval to Expropriate in the Hamilton Spectator, a newspaper having general circulation in the Regional Municipality of Hamilton-Wentworth, in accordance with the Expropriations Act, and

WHEREAS no request for an Inquiry Hearing was made by any of the owners of the lands described in Schedule "A" hereto, and accordingly no Inquiry Hearing has been held, and

WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth as approving authority deems it expedient to grant the Application to Expropriate the said lands;

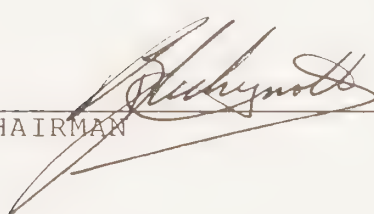
NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. That, as approving authority under the Expropriations Act, the said Application for Approval to Expropriate the lands more particularly described in Schedule "A" attached hereto, made by the Regional Municipality of Hamilton-Wentworth as expropriating authority, be and the same is hereby granted and the said

lands being Part 3 on Plan 62R-6981 are hereby expropriated for the purpose of roadway construction and improvements for the East-West and North-South Transportation Corridor.

2. That the Regional Chairman, Clerk and the proper Officials of the Regional Municipality of Hamilton-Wentworth are hereby authorized and directed to do all things necessary to implement and give effect to the provisions of this By-law and this authority shall include the taking of all necessary proceedings to enter and to take possession of the lands hereby expropriated.

ENACTED AND PASSED IN OPEN COUNCIL THIS 7th DAY OF February, 1989.


CHAIRMAN


CLERK

SCHEDULE A TO BY-LAW NO. R89-017

ALL AND SINGULAR those lands and premises in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth and the Province of Ontario and composed of Part of Lot 34, Concession 7, in the former geographic Township of Saltfleet, more particularly described as all of Part 3 according to a Reference Plan received and deposited in the Land Registry Office for the Registry Division of Wentworth (No. 62) as Plan 62R-6981.

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-018

BEING A BY-LAW TO EXPROPRIATE CERTAIN LANDS IN THE CITY OF HAMILTON, BEING PART OF LOT D, PLAN 294, ABSTRACTED IN LOT 1, CONCESSION 7, IN THE CITY OF HAMILTON, IN THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH FOR ROADWAY CONSTRUCTION AND IMPROVEMENTS FOR THE EAST-WEST AND NORTH-SOUTH TRANSPORTATION CORRIDOR.

WHEREAS Section 133 of the Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, Chapter 437, as amended, incorporates by reference Part XIII of the Municipal Act, R.S.O., 1980, Chapter 302, as amended, which includes Section 193 (1) which empowers the Council of a municipal corporation to pass by-laws for expropriating land required for the purposes of the corporation, and

WHEREAS the Regional Municipality of Hamilton-Wentworth, as expropriating authority, made application to the Council of the Regional Municipality of Hamilton-Wentworth on the first day of December 1988 for approval to expropriate Part 4 on Plan 62R-5545 being the lands described in Schedule "A" attached hereto in accordance with the Expropriations Act, R.S.O., 1980, Chapter 148, as amended, and

WHEREAS the Regional Municipality of Hamilton-Wentworth as expropriating authority did serve a Notice of the said Application for Approval to Expropriate upon each registered owner of the said lands and did publish a Notice of the Application for Approval to Expropriate in the Hamilton Spectator, a newspaper having general circulation in the Regional Municipality of Hamilton-Wentworth, in accordance with the Expropriations Act, and

WHEREAS no request for an Inquiry Hearing was made by any of the owners of the lands described in Schedule "A" hereto, and accordingly no Inquiry Hearing has been held, and

WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth as approving authority deems it expedient to grant the Application to Expropriate the said lands;

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. That, as approving authority under the Expropriations Act, the said Application for Approval to Expropriate the lands more particularly described in Schedule "A" attached hereto, made by the Regional Municipality of Hamilton-Wentworth as expropriating authority, be and the same is hereby granted and the said

lands being Part 4 on Plan 62R-5545 are hereby expropriated for the purpose of roadway construction and improvements for the East-West and North-South Transportation Corridor.

2. That the Regional Chairman, Clerk and the proper Officials of the Regional Municipality of Hamilton-Wentworth are hereby authorized and directed to do all things necessary to implement and give effect to the provisions of this By-law and this authority shall include the taking of all necessary proceedings to enter and to take possession of the lands hereby expropriated.

ENACTED AND PASSED IN OPEN COUNCIL THIS 7th DAY OF February, 1989.


CHAIRMAN


CLERK

SCHEDULE A TO BY-LAW NO. R89-018

ALL AND SINGULAR those lands and premises located in the City of Hamilton in the Regional Municipality of Hamilton-Wentworth and the Province of Ontario and composed of Part of Lot D , Plan 294, abstracted in Lot 1, Concession 7, in the former geographic Township of Barton and described as Part 4, according to a reference plan received and deposited in the Land Registry Office for the Registry Division of Wentworth (No. 62) as Plan 62R-5545.

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-019

Being a By-law to amend By-law No. R79-172
being a By-law to regulate the use of public and private
sewers and drains, the installation and connection of building
sewers and drains and the discharge of water and wastes into
the sanitary sewage systems of the Regional Municipality of
Hamilton-Wentworth and to apply the International standard
units of measurement to this By-law.

WHEREAS Regional Council did approve Item #1 of Report No. 2-89 of Finance and
Personnel Committee, on February 7, 1989.

NOW THEREFORE, the Council of The Regional Municipality of Hamilton-Wentworth
enacts as follows:

1. That the rates being charged for the disposal of
overstrength sewage be increased by 4%, effective
January 1, 1989.
2. That in all other respects the contents of Regional By-law
R79-172 are hereby confirmed unchanged.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED

this 7th day of February 1989

Chairman

Clerk

Approved
as to form
Regional
Solicitor

THE REGIONAL MUNICIPALITY OF
HAMILTON-WENTWORTH

BY-LAW NO. R89-020

BEING A BY-LAW TO INCREASE THE SANITARY SEWER SURCHARGE
RATE AND TO REPEAL SCHEDULE "A" OF BY-LAW 2-75

WHEREAS Regional Council did approve Item 1 of Report No. 2-89 of the Finance and Personnel Committee on February 7, 1989.

NOW THEREFORE the Council of the Regional Municipality of Hamilton-Wentworth enacts as follows:

1. That Schedule "A" to Regional By-law 2-75 is hereby repealed and that Schedule "A" attached to this By-law be substituted therefor.
2. In all other respects the contents of Regional By-law 2-75 are hereby confirmed unchanged.
3. That Schedule "A" to this By-law form part of By-law 2-75.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED
THIS 7th DAY OF February 198 .


CHAIRMAN


CLERK

Approved
as to form

Regional
Solicitor

SCHEDULE "A"

SURCHARGE ON THE WATER RATE COMPRISED OF A
SANITARY SEWER RATE AND SANITARY SEWAGE SERVICE RATE

1. Surcharge as follows:

(a) Sanitary Sewer Rate	56% of the gross amount of the annual water rate
(b) Sanitary Sewage Service Rate	60% of the gross amount of the annual water rate
TOTAL	116% of the gross amount of annual water rate

Discount for Prompt Payment of Surcharge on Metered Water Rates

2. The surcharge which is comprised of a sanitary sewer rate and sanitary sewage service rate, as set forth in Section 1 of this Schedule, is subject to a two per cent (2%) discount if the bill therefor is paid on or before the discount date shown on the bill, which date is not to be less than ten (10) days from the date of the bill.

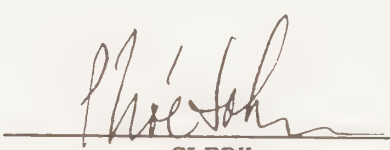
THE REGIONAL MUNICIPALITY OF
HAMILTON-WENTWORTHBY-LAW NO. R89-021BEING A BY-LAW TO AMEND WATER RATES IN
BY-LAW R84-026 BY REPEALING SCHEDULES "A", "B", "C" and "G"
THEREIN AND MAKING SUBSTITUTIONS THEREFOR

WHEREAS Regional Council did approve Item 1 of Report 2-89 of the Finance and Personnel Committee, on February 7, 1989.

NOW THEREFORE the Council of the Regional Municipality of Hamilton-Wentworth enacts as follows:

1. Schedules "A", "B", "C" and "G" to By-law R84-026 are repealed.
2. Schedules "A", "B", "C" and "G" to this By-law shall replace the schedules named in section 1.
3. In all other respects the contents of Regional By-law R84-026 are hereby confirmed unchanged.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED
THIS 7th DAY OF February, 198 .


CHAIRMAN
CLERK

0035c - 85

Approved
as to form

Regional
Solicitor

NON-METERED RATES FOR
THE CITY OF HAMILTON
FOR 1989 AS WERE APPROVED
BY COUNCIL FEBRUARY 7, 1989

Assessment of Land and Buildings

<u>From</u>	<u>To</u>	<u>1989</u>
\$ 0	\$ 500	\$ 42.39
501	1,000	46.56
1,001	1,500	50.59
1,501	2,000	54.58
2,001	2,500	62.47
2,501	3,000	66.43
3,001	3,500	75.02
3,501	4,000	79.12
4,001	4,500	83.08
4,501	5,000	87.48
5,001	5,500	92.89
5,501	6,000	95.54
6,001	6,500	104.27
6,501	7,000	107.99
7,001	7,500	111.48
7,501	8,000	117.01
8,001	8,500	122.73
8,501	9,000	128.30
9,001	9,500	133.68
9,501	10,000	139.44
10,001	11,000	150.46
11,001	12,000	161.31
12,001	13,000	171.91
13,001	14,000	182.57
14,001	15,000	193.17
15,001	16,000	203.47
16,001	17,000	213.67
17,001	18,000	223.92
18,001	19,000	233.82
19,001	20,000	243.94
20,001	25,000	290.16
25,001	30,000	333.46
30,001	35,000	373.62
35,001	40,000	410.99
40,001	45,000	445.26
45,001	50,000	476.02
50,001	60,000	530.77
60,001	70,000	574.61
70,001	80,000	617.23
80,001	90,000	649.61
90,001	100,000	673.72
over 100,000		697.55

SANITARY SEWER SURCHARGE RATE 116%

SCHEDULE "B" TO BY-LAW NO. R89-021

NON-METERED RATES FOR
THE CITY OF STONEY CREEK
FOR 1989 AS WERE APPROVED
BY COUNCIL FEBRUARY 7, 1989

Assessment of Land and Buildings

<u>From</u>	<u>To</u>	<u>1989</u>
\$ 0	\$ 648	\$68.18
649	1,296	68.18
1,293	1,944	68.18
1,945	2,592	68.18
2,593	3,240	79.52
3,241	3,888	79.52
3,889	4,536	86.41
4,537	5,184	86.41
5,185	5,832	86.41
5,833	6,480	87.26
6,481	7,128	87.26
7,129	7,776	87.26
7,777	8,424	91.97
8,425	9,072	91.97
9,073	9,720	92.34
9,721	10,368	94.18
10,369	11,016	96.09
11,017	11,664	97.95
11,665	12,312	99.75
12,313	12,960	101.65
12,961	14,256	105.33
14,257	15,552	108.96
15,553	16,848	112.48
16,849	18,144	116.03
18,145	19,440	119.58
19,441	20,736	123.01
20,737	22,032	126.40
22,033	23,328	129.83
23,329	24,624	133.13
24,625	25,920	136.49
25,921	32,400	151.90
32,401	38,880	166.34
38,881	45,360	179.72
45,361	51,840	192.18
51,841	58,320	203.60
58,321	64,800	213.84
64,801	77,760	232.10
77,761	90,720	246.72
90,721	103,680	260.92
103,681	116,640	271.72
116,641	129,600	279.76
over 129,600		287.70

SANITARY SEWER SURCHARGE RATE

116%

MISCELLANEOUS RATES FOR WATER

(Referred to in Section 12(6), (7), (8) and (9))

1. Travelling Shows

The deposit required from travelling shows is Fifty Dollars (50.00) of which the sum of Thirty-Five Dollars (\$35.00) is the fee for connecting and disconnecting the water supply and a Five (\$5.00) Dollar/day usage charge for three days.

2. Tank Trucks

The rate payable for water supplied to tank trucks at the Region's coin operated stations be increased by 4.0% to \$0.52 per cubic metre or part thereof.

3. Areas Outside the Regional Area

The rate for water supplied to municipalities for the owner or occupier of any lands outside the Regional area is the applicable meter rate set forth in Schedule "B", plus fifty per cent (50%) surcharge or such other surcharge as may be specifically defined in the Agreement between the Regional Corporation and the municipality, owner or occupier of the lands outside the Regional area.

SCHEDULE "G" TO BY-LAW NO. R89-021

TABLE OF METERED RATES

(Referred to in Section 12(2), (3), & (4) & 13(2))

A)

RESIDENTIAL METER RATES FOR SERVICE WITH A METER 20MM OR SMALLER

Minimum Charge

- (i) The minimum charge per billing period including the use of the specified volume of water is as follows:

Minimum Charge Per Billing Period

Quarterly Billing

Rates \$5.63

Consumption for 14m³

Consumption Rate

- (ii) The consumption charge per cubic metre (m³) for the amount of water used over and above the first specified column for the minimum charge per billing period is as follows:

Consumption Rate Per Cubic Metre (m³) \$0.2600

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

B)

COMMERCIAL, INSTITUTIONAL AND INDUSTRIAL RATES INCLUDING
RESIDENTIAL RATES FOR SERVICES WITH A METER GREATER THAN 20MM

Minimum Charge

- (i) The minimum charge per billing period including the use of the specified volume of water is as follows:

Minimum Charge Per Billing Period		
Meter Size		Quarterly Billing
Metric	Inches	
16mm	5/8"	\$ 18.18
20mm	3/4"	24.38
25mm	1"	29.09
38mm	1 1/2"	32.34
50mm	2"	38.44
75mm	3"	66.60
100mm	4"	85.33
150mm	6"	150.98
200mm	8"	260.68
250mm	10"	401.34
Consumption for		46m ³

Consumption Rate

- (ii) The consumption charge for the amount of water used over and above the first specified column for the minimum charge per billing is as follows:

BILLING PERIOD	
Rate Per Cubic Metres (m ³)	Quarterly Billing
<u>1989</u>	
.2315	over 46m ³ cubic metres but not exceeding 273m ³
.2020	over 273m ³ cubic metres but not exceeding 2727m ³
.1796	over 2727m ³ cubic metres

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-022

To confirm the proceedings of the Council at its meeting held on the following date:

THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. The Action of the Council at its meeting held on the 7th day of February, 1989, in respect of each recommendation contained in the Reports of its Committees.

<u>NAME</u>	<u>NO.</u>	
Special Airport Committee Report	02-89	
Economic Development and Planning Committee Report	02-89	as amended
Engineering Services Committee Report	02-89	
Finance and Personnel Committee Report	02-89	
Freeway Steering Committee Report	02-89	
Health and Social Services Committee Report	02-89	
Information Systems Committee	01-89	
Legislation and Reception Committee Report	02-89	as amended
Transportation Services Committee	01-89	

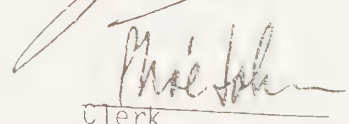
and Regional Officials

<u>NAME</u>	<u>NO.</u>
Chairman's Report	02-89

considered by Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the Council at its said meetings, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Chairman of the Council and the proper officials of the Regional Municipality are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and, except where otherwise provided, the Chairman, the Clerk and the Treasurer are hereby directed to execute all documents necessary in that behalf, and the Clerk is hereby authorized and directed to affix the Corporate Seal of the Regional Corporation to all such documents.

READ A FIRST, SECOND AND THIRD TIME and Finally Passed and Enacted this 7th, day of February, 1989.


Chairman

Clerk

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTHBY-LAW NO. R89-023TO AMENDBY-LAW NO. R77-103

WHEREAS Section 70 of the Police Act, R.S.O. 1980, Ch 381, as amended permits the Council of any municipality to appoint one or more municipal law enforcement officers who shall be peace officers for the purpose of enforcing the by-laws of the municipality, and

WHEREAS Section 92(1) of the Regional Municipality of Hamilton-Wentworth Act 1973, R.S.O. 1980, Ch 437, provides that on and after the 1st day of January 1974, the Regional Corporation shall be deemed to be a City for the purpose of the Police Act, and

WHEREAS By-law R76-144, passed on the 7th day of September 1976, regulates traffic on Regional Roads and on Highways within 100 feet of any Regional Road, and

WHEREAS By-law 77-78, passed on the 17th day of May 1977 and approved by the Lieutenant Governor in Council on the 29th day of May 1977, adds to the Regional Road System roads within the limits of the City of Hamilton, and

WHEREAS it is advisable that the regulations set out in By-law R76-144 be enforced by By-law Enforcement Officers.

NOW THEREFORE, THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. Schedule "A" of By-law R77-103 passed on the 5th day of July, 1977 is hereby amended by deleting therefrom the following names:-

Mr. Onelio L. Maragno	Mr. Kenneth Edgar
Mr. Gordon J. Henderson	Mr. Ernest F. Squires
Mr. Brian A. Bishoo	Mr. Eric L. Laycock
Mr. John J. Demois	Mr. Victor C. Anderson

and by adding thereto the following names:-

Mr. John H. Deeley	Ms. Judith Berestecki
Mr. William D. Christenson	Mr. James L. Adkins
Mr. Jefferey D. Danby	Mr. Joseph W. Mathieson
Mr. Paul L. Brown	Mr. Louis J. Angeline

2. In all other respects, the said By-law R77-103 is hereby confirmed, unchanged.

3. This By-law shall come into force and take effect on the date of its passing and enactment.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED

this 21st day of February 1989


CHAIRMAN

Approved
as to form

Regional
Solicitor


Acting/ CLERK

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTHBY-LAW NO. R89-024TO AMEND BY-LAW NO. R76-144 TO REGULATE TRAFFIC

WHEREAS Section 36(1) of the Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980 CH. 437 as amended, confers upon the Regional Municipality of Hamilton-Wentworth, with respect to the roads in the Regional Road System and the regulation of traffic thereon, all the powers conferred upon the council or corporation of a city by the Municipal Act, the Highway Traffic Act and any other Act with respect to highways; and

WHEREAS Section 210(117) of the Municipal Act, R.S.O. 1980, Chapter 302, as amended, confers upon the councils of the local municipalities the power to pass by-laws for regulating traffic on highways subject to the Highway Traffic Act; and

WHEREAS Section 315(7) of the said Municipal Act confers upon the councils of all municipalities the power to pass by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic; and

WHEREAS it is deemed advisable that the regulations pertaining to traffic on certain highways under the jurisdiction of the Regional Municipality of Hamilton-Wentworth be amended;

NOW THEREFORE, THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. Schedule 15 (No U-Turns at at Intersections) of By-law R76-144 to Regulate Traffic passed and enacted on the 7th day of September 1976 is hereby amended by adding thereto the following item, namely:-

"York	Easterly	Oxford	7:00 a.m. - 9:00 a.m. Monday to Friday."
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2. Schedule 23 (No Stopping Areas) of the said By-law is hereby amended by adding to Section A (No Stopping Anytime) the following item, namely:-

"Mohawk	North	Moxley to 75 feet west".
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and by deleting therefrom the following item, namely:-

"Mohawk	North	Moxley to 50 feet west".
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3. In all other respects, By-law R76-144 and Schedules thereto are hereby confirmed, unchanged.

4. This By-law shall come into force and take effect on the date of its passing and enactment.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED

this 21st day of February 198⁹.


CHAIRMAN


Acting/ CLERK

Approved
as to form

Regional
Solicitor

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-025BEING A BY-LAW TO AUTHORIZE AN INTERIM TAX LEVY FOR THE YEAR 1989

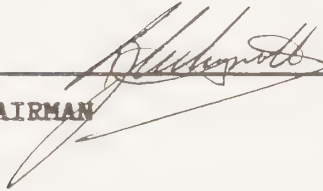
WHEREAS Section 103(1) of The Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, c. 437, authorizes the Regional Council before the adoption of estimates for the year 1989 to levy against each of the area municipalities, a sum not exceeding 50% of the levy made by the Regional Council in the preceding year against that area municipality.

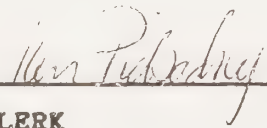
THEREFORE the Council of The Regional Municipality of Hamilton-Wentworth enacts as follows:

1. THAT there shall be levied against each area municipality in The Regional Municipality of Hamilton-Wentworth, an amount equal to 50% of the 1988 levy for regional purposes levied against such area municipality, as shown on Schedule "A" attached.
2. THAT the amount levied under Section 1 of this By-law shall be paid by the Treasurer of each area municipality to the Commissioner of Finance of The Regional Municipality of Hamilton-Wentworth in four equal instalments on or before March 15, April 15, May 15, and June 15, 1989.

3. THAT if any area municipality shall fail to make the payments required by the By-law, interest shall be added at a rate per annum equivalent to that which would have been charged to the Region at the prime rate of the Region's Banker, not to exceed 15%.
4. THAT this By-law shall come into force and take effect on the day upon which it is finally passed.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED
THIS 21st DAY OF February, 1989.


CHAIRMAN


Acting/ CLERK

Approved,
Approved
as to form

Regional
Solicitor

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTHDEPARTMENT OF FINANCECASH FLOW FOR PAYMENT OF INTERIM REGIONAL LEVYFOR THE YEAR 1989

<u>DATE</u>	<u>ANCASTER</u>	<u>DUNDAS</u>	<u>FLAMBOROUGH</u>	<u>GLANBROOK</u>	<u>HAMILTON</u>	<u>STONEY CREEK</u>	<u>TOTAL</u>
March 15	\$543,406.50	\$435,439.25	\$763,087.00	\$254,313.00	\$10,018,466.50	\$1,306,037.75	\$13,320,750
April 15	\$543,406.50	\$435,439.25	\$763,087.00	\$254,313.00	\$10,018,466.50	\$1,306,037.75	\$13,320,750
May 15	\$543,406.50	\$435,439.25	\$763,087.00	\$254,313.00	\$10,018,466.50	\$1,306,037.75	\$13,320,750
June 15	\$543,406.50	\$435,439.25	\$763,087.00	\$254,313.00	\$10,018,466.50	\$1,306,037.75	\$13,320,750
	<u>\$2,173,626.00</u>	<u>\$1,741,757.00</u>	<u>\$3,052,348.00</u>	<u>\$1,017,252.00</u>	<u>\$40,073,866.00</u>	<u>\$5,224,151.00</u>	<u>\$53,283,000</u>

INTERIM LEVY (50% OF 1988 LEVY OF \$106,566,000)

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-026

To confirm the proceedings of the Council at its meeting held on the following date:

THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. The Action of the Council at its meeting held on the 21st day of February, 1989, in respect of each recommendation contained in the Reports of its Committees.

<u>NAME</u>	<u>NO.</u>	
Economic Development and Planning Committee Report	03-89	as amended
Engineering Services Committee Report	03-89	as amended
Finance and Personnel Committee Report	03-89	as amended
Health and Social Services Committee Report	03-89	
Transportation Services Committee	02-89	as amended

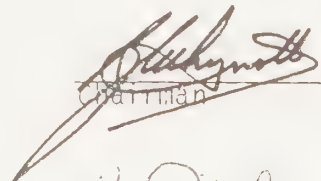
and Regional Officials

<u>NAME</u>	<u>NO.</u>
Chairman's Report	03-89

considered by Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the Council at its said meetings, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Chairman of the Council and the proper officials of the Regional Municipality are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and, except where otherwise provided, the Chairman, the Clerk and the Treasurer are hereby directed to execute all documents necessary in that behalf, and the Clerk is hereby authorized and directed to affix the Corporate Seal of the Regional Corporation to all such documents.

READ A FIRST, SECOND AND THIRD TIME and Finally Passed and Enacted this 21st, day of February, 1989.


Chairman


Acting Clerk

THE REGIONAL MUNICIPALITY
OF HAMILTON-WENTWORTH

BY-LAW NO. R89-027

Being a By-law to Amend
Council Procedure By-law No. R85-134

WHEREAS Council at its regular meeting December 20, 1988 adopted the Report 13-88 of the Legislation and Reception Committee, item 3 to amend the Procedure Bylaw with the addition of a Roll Call and Declaration of Interest in the Order of Council Proceedings;

FURTHER WHEREAS Council at its regular meeting of December 20, 1988 adopted Legislation and Reception Committee Report 13-88 item 7 to provide the Regional Chairman a vote at Committees;and

FURTHER WHEREAS Council at its regular meeting February 7, 1989 adopted the Report 2-89 of the Legislation and Reception Committee to amend the Procedure Bylaw by addressing the Call of unscheduled Committee Meetings with notice and, where due to the urgent nature of the business, with less than 48 (forty eight) hours notice:

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH HEREBY ENACTS AS FOLLOWS:

That By-law No. R85-134 be amended as follows:

1. That Section 4 be amended with the addition of the following:

COUNCIL MEETINGS

4.7 Compressed Schedule of Meetings

There shall be one Council meeting per month in July, August, and September (summer) and January (Holiday Season), that being the third Tuesday of each month.

COMMITTEE MEETINGS

4.8 Unscheduled Committee Meetings

That Unscheduled meetings of Committees shall be called by the Committee Chairman, with the concurrence of the Regional Chairman, or when requested in writing by a majority of Committee members.

4.9 Notice of Unscheduled Committee Meetings

- a) The Clerk shall, when requested by the Committee Chairman, give to all Members of the Council, written notice of each unscheduled meeting of a Committee and such notice shall be delivered personally or delivered to his/her place of residence, at least 48 (forty eight) hours before the hour set for such meeting.
 - b) The notice shall state the business to be considered at such unscheduled meeting and no business other than that stated in the notice shall be considered at such meeting except with the UNANIMOUS consent of the Committee Members present and voting.
 - c) When due to the urgent nature of the Business, a Special Meeting is called with less than 48 (forty eight) hours notice,
 - i) The Committee Chairman, with the concurrence of the Regional Chairman, will call the meeting by requesting the Clerk to notify all members of Committee verbally of the time, date, place and agenda.
 - ii) The Business shall be reported to Council by motion subject to the approval of Council, without previous notice.
 - d) That a separate list of attendance for all unscheduled Committee meetings including those with less than 48 (forty eight) hours notice be kept and not to be included on a yearly attendance record.
2. That Section 13.1 Order of Proceedings, be amended with the addition of "Roll Call" and "Declarations of Interest" following Ceremonial Activities; and that the Order of Proceedings be re-numbered from a) to m).
 3. That Section 3 be repealed and replaced with the following:

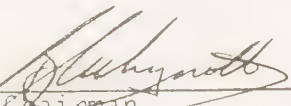
"The Chairman shall be ex-officio a member of all Standing and other Committees of the Council. The Chairman shall be entitled to vote at meetings of Committees. The Chairman shall not be entitled to vote at meetings of Council except in the event of an equality of votes."

This By-law shall come into force and take effect on the day of its passing and enactment.

READ A FIRST TIME THIS 7th day of FEBRUARY 1989

READ A SECOND TIME AS AMENDED THIS 7th day of March 1989

READ A THIRD TIME AS AMENDED AND PASSED THIS 7th day of March 1989


Chairman


Clerk

Approved
as to form

Regional
Solicitor

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTHBY-LAW NO. R89-028BY-LAW NO. R76-144 TO REGULATE TRAFFIC

WHEREAS Section 36(1) of the Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980 CH. 437 as amended, confers upon the Regional Municipality of Hamilton-Wentworth, with respect to the roads in the Regional Road System and the regulation of traffic thereon, all the powers conferred upon the council or corporation of a city by the Municipal Act, the Highway Traffic Act and any other Act with respect to highways; and

WHEREAS Section 210(117) of the Municipal Act, R.S.O. 1980, Chapter 302, as amended, confers upon the councils of the local municipalities the power to pass by-laws for regulating traffic on highways subject to the Highway Traffic Act; and

WHEREAS Section 315(7) of the said Municipal Act confers upon the councils of all municipalities the power to pass by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic; and

WHEREAS it is deemed advisable that the regulations pertaining to traffic on certain highways under the jurisdiction of the Regional Municipality of Hamilton-Wentworth be amended:

NOW THEREFORE, THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

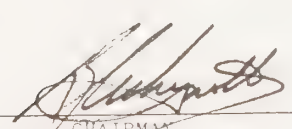
1. Schedule 20(No Parking Areas) of By-law R76-144 To Regulate Traffic passed and enacted on the 7th day of September 1976 is hereby amended by deleting from Section A (No Parking Anytime) the following item, namely:-

"Concession	South	commencing 25 feet east of East 23rd to a point 26 feet easterly therefrom".
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1. In all other respects, By-law R76-144 and Schedules thereto are hereby confirmed, unchanged.
2. This By-law shall come into force and take effect on the date of its passing and enactment.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED

this 7th day of March 198 9.


CHAIRMAN


CLERK

Approved
as to form
LaE.
Regional
Solicitor,

BY-LAW NO. R89-029

To Permit the Erection and Maintenance of
Objects Upon a Regional Road

WHEREAS Section 309(3) of the Municipal Act, R.S.O. 1980, Chapter 302, as amended, provides that the Council of every municipality may pass by-laws for permitting any person to place, construct, install, maintain, and use objects in, on, under, or over highways under such conditions as may be agreed upon for prescribing the terms and conditions upon which the same are to be placed, constructed, installed, maintained, or used, and for making such annual or other charge for the privilege conferred by the by-law as it considers reasonable,

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. The applicant Ralph Mascia residing at 665-667 Barton Street East, and being the Owner(s) of the said premises is hereby granted the privilege of erecting & maintaining the Vinyl Canopy measuring 0.28m X 4.57m X 3.05m above the sidewalk upon the highway allowance of Barton Street East upon the terms and conditions contained in the agreement hereto attached as Schedule I.
2. The Regional Chairman, Regional Clerk and Regional Treasurer are hereby authorized to sign and execute all necessary documents to implement this By-law.
3. Schedule I attached to this By-law is included in and shall be considered part of this By-law.
4. This By-law shall come into force and take effect on the date of its passing and enactment.

READ A FIRST, SECOND and THIRD TIME and FINALLY PASSED and ENACTED

this 7th day of March 1989.


CHAIRMAN


CLERK

Approved
as to form

Regional
Solicitor

FOR OFFICE USE ONLY	(1) Registry ☐ Land Titles ☐	(2) Page 1 of _____ pages
	(3) Property Identifier(s) _____ Block _____ Property _____	Additional See Schedule ☐
	(4) Nature of Document Encroachment Agreement	
	(5) Consideration See Attached Schedule Dollars \$ 1.00	
	(6) Description See Attached Schedule "A"	
	New Property Identifiers _____ Additional: See Schedule ☐ Executions _____ Additional: See Schedule ☐	
(7) This Document Contains: _____ (a) Redescription New Easement Plan/Sketch ☐ (b) Schedule for: _____ Description ☐ Additional Parties ☐ Other ☐		

(8) This Document provides as follows:

See Attached Schedule "1"

Continued on Schedule ☐

(9) This Document relates to instrument number(s) _____

(10) Party(ies) (Set out Status or Interest)

Name(s)

Signature(s)

Date of Signature

Y M D

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
Regional Solicitor

CHAIRMAN

REGIONAL CLERK

COMMISSIONER OF FINANCE

(11) Address for Service

P.O. Box 910, 119 King St. W., Hamilton, Ontario L8N 3T9

(12) Party(ies) (Set out Status or Interest)

Name(s)

Signature(s)

Date of Signature

Y M D

Ralph Mascia

Ralph Mascia

1988 11 17

(13) Address for Service

665 Barton Street, East, Hamilton, Ontario, L8L-3A3

(14) Municipal Address of Property

665 - 667 Barton Street
East
Hamilton, Ontario
L8L-3A3

(15) Document Prepared by:

The Regional Municipality of
Hamilton-Wentworth
Transportation Department
71 Main St. W.
Hamilton, Ontario
L8N 3T4

Fees and Tax

Registration Fee

Total

FOR OFFICE USE ONLY

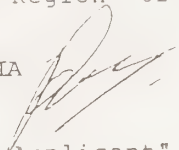
Schedule "1"

THIS AGREEMENT made this 24th day of MARCH 1987.

B E T W E E N:

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH,
Hereinafter called "the Region" of the First Part,

- and -

RALPH MASCIA 

Hereinafter called "the Applicant" of the Second Part.

WHEREAS the Applicant is the registered owner of the property known municipally as _____ in the _____ of _____, in the Regional Municipality of Hamilton-Wentworth, more particularly described in Schedule "A" attached hereto;

AND WHEREAS Section 309(3) of the Municipal Act, R.S.O. 1980, Chapter 302, as amended, provides that the Council of every municipality may pass by-laws for permitting any person to place, construct, install, maintain, and use objects in, on, under, or over highways under such conditions as may be agreed upon;

AND WHEREAS the Regional Municipality of Hamilton-Wentworth did by By-law # _____ on the _____ day of _____ 19 _____ approve the privilege hereinafter permitted to the Applicant, which application for privilege was presented at the meeting of the Council on the said date as Item _____ in a Report to the Regional Council of the Engineering Services Committee.

NOW THEREFORE the parties hereby covenant and agree as follows:

1. That the Applicant, being the owner of the premises at 665 Barton Street East, Hamilton, (more particularly described in Schedule "A" attached hereto), may during the pleasure of Regional Council retain the encroachment of:

- (i) Vinyl canopy, 0.28 m by 4.57 m by 3.05 m above the sidewalk.

(hereinafter referred to collectively as "the works")
Onto the road allowance of Barton Street East _____ shown on a plan attached hereto as Schedule "B", but so as not to interfere with the free and safe passage of persons and vehicles using the said road allowance.

2. All fees, costs, and expenses due and payable by the applicant to the Region, or paid or incurred by the Region under this agreement may in the event of default of such payment be recovered by the Region by distraint or lawsuit and the Region may in addition, thereupon terminate the agreement as provided in paragraph 14.

3. The sum of \$131.00 shall be due payable in advance to the Region immediately after the date of approval of the privilege at the Meeting of the said Regional Council.

4. The Applicant shall pay to the Region yearly and every year during the currency of this agreement the annual sum or fee of \$26.00 or as may be determined by By-law from time to time in advance on the 1st day of January in each year, with the exception of the first payment which shall be made upon execution of this agreement.

5. The Applicant shall and does hereby at all times covenant to indemnify and save harmless the Region from and against all actions, causes of action, interest, claims, demands, costs, damages, expenses, or loss which the Region may bear, suffer or be put to by reason of any damage to property or injury or death to any person as a result of the privilege herein allowed to the Applicant. At the time of the execution of this agreement, the Applicant shall deliver to the Region an endorsement from its general liability insurance policy confirming that the Region has been named as an additional insured for third party bodily injury and property damage arising out of the granting of this agreement to a limit of \$500,000. This policy shall be kept in force, by the Applicant during the term of this agreement. Upon written request of the Region, the Applicant shall forthwith deliver to the Region endorsements for the aforesaid policy current for that year.

6. The Applicant acknowledges that he is liable to pay all taxes, charges, duties, rates, levies, and business taxes assessed in respect to the occupation or use of the road allowance abutting the lands described in Schedule "A", the works herein allowed to the Applicant on, over, or under the said road allowance, arising pursuant to the Assessment Act. R.S.O. 1980, chapter 31 as amended, and to the Local Improvement Act. R.S.O. 1980 chapter 250 as amended, as and when the same become due and payable.

7. In no case whatsoever shall compensation be payable to the Applicant for improvements (if any) to the road allowance.

8. The Applicant shall at all times keep and maintain the works in a good and proper state of repair and safety.

9. Only the works herein authorized may be erected by the Applicant.

10. The design, construction, and location of the said works, shall be previously approved by the Commissioner of Transportation hereinafter referred to as the Commissioner, and shall be erected and maintained in all respects by the Applicant to the approval of the Commissioner, but the fact that the Commissioner shall have been satisfied with the design, location and construction shall in no way discharge or modify any liability or obligation of the applicant that may arise from this agreement.

11. If on the erection of the said works any act or thing shall be contrary to the order or direction of the Commissioner or if any act or thing shall be done of which the Commissioner shall disapprove or if in the opinion of the Commissioner the Applicant shall fail to maintain the said works in a safe condition, the Commissioner may verbally or in writing require the Applicant to alter or repair the same and if same shall not be altered or repaired within forty-eight hours after such requirement or if the Applicant shall neglect or refuse to remove the said works or things

within 30 days after notice to remove the same shall have been delivered or posted as mentioned in paragraph 18 of this agreement, then and in any such case the Region may cause the required work to be done either by its own servants or by some other person and the cost of any such work may be recovered by the Region as set out in paragraph 3 of this agreement.

12. This agreement may be terminated at any time by the Region or the Applicant for any reason after the delivery to the other of written notice of its intention to terminate at least thirty days prior to such termination.

13. Within 30 days of the delivery by the Applicant to the Region of notice of its intention to terminate this agreement or upon receipt of such notice from the Region, the applicant shall remove the said works and restore that part of the road allowance occupied by the works in a condition acceptable to the Commissioner. If the Applicant defaults to perform such work of removal and restoration, then the Region may perform the same and recover its costs as set out in paragraph 3 and/or by such legal action as it deems necessary.

14. The Applicant shall observe and comply with all parliamentary and legislative enactments and with all by-laws and regulations of the Region or the City of Hamilton (Area Municipality) and all notices, orders and demands given by the Region through its Commissioner respecting the subject lands and the works thereon.

15. This Agreement is subject to all rights now or that may hereafter be vested in the Region, the City of Hamilton (Area Municipality) or in any gas, telephone, telegraph, electric light, or other utility Company, in respect of the care and maintenance of the streets, the construction, repair, replacement or removal of sewers, mains, culverts, drains, water or gas pipes or the placing of poles or wires (herein called "services", therein.

16. No length of time or of enjoyment by the Applicant shall enure to give any right, title or interest to the Applicant or his successors in title, in the subject lands or to maintain the said works on, under, across or above (as the case may be) the said road allowance or shall deprive the Region by the operation of any limitation period or otherwise of any right to require the removal thereof the restoration of the road allowance.

17. Any notice to be given to the Region shall be delivered or posted by prepaid mail addressed to:

The Regional Clerk
The Regional Municipality of Hamilton-Wentworth
119 King Street West, 15th Floor, P.O. Box 910
Hamilton, Ontario
L8P 4T9

or such other addresses as may hereinafter be assigned.

Any notice to be given to the Applicant shall be delivered or posted by prepaid mail addressed to the Applicant at:

Hamilton, Ontario, 585-123

18. The word "Applicant" in this agreement means the Applicant named herein including the person in possession of the property set out in Schedule "A" attached hereto, it being agreed that this Agreement shall be binding upon the heirs, executors, administrators, successors, tenants, lessees, and assigns of the Applicant.

SCHEDULE "A"
DESCRIPTION OF LANDS

ATTACHED HERewith

104651

0.11

This Indenture

made in duplicate the 13th day of September,
one thousand nine hundred and seventy-eight,
In Pursuance of the Short Forms of Conveyances Act:
Between

ANGELA LUZI, of the City of Hamilton, in the
Regional Municipality of Hamilton-Wentworth,
hereinafter called the GRANTOR OF THE FIRST PART;

-and-

RALPH MASCIA, of the City of Hamilton, in the
Regional Municipality of Hamilton-Wentworth,
hereinafter called the GRANTEE OF THE SECOND PART;

Witnesseth that in consideration of other valuable consideration and
the sum of -----

(\$1.00) ----- dollar of
lawful money of Canada now paid by the said grantee to the said grantor (the receipt
whereof is hereby by her acknowledged) s he the said grantor DO TH
GRANT unto the said grantee in fee simple

ALL and Singular that certain parcel or tract of land and premises, situate, lying and
being in the City of Hamilton, in the Regional Municipality of
Hamilton-Wentworth being composed of the easterly nine feet of
lot twenty and the westerly thirty-one feet of lot number nineteen
fronting on Barton Street between Earl and Sherman Avenue in
William P. Moore's Survey, Plan 245 made by Ernest G. Barrow, P.L.S.
and more particularly described as follows:

COMMENCING at a point on the north side of Barton Street distant
nine feet westerly from the south-east angle of said lot number
twenty

THENCE northerly parallel with the easterly line of the said lot
number twenty to a point on the south side of the alley in rear

to certify that no lien is claimed under the Land
Transfer Act, 1974, with respect to the foregoing
conveyance, to and including the date of this
certification.

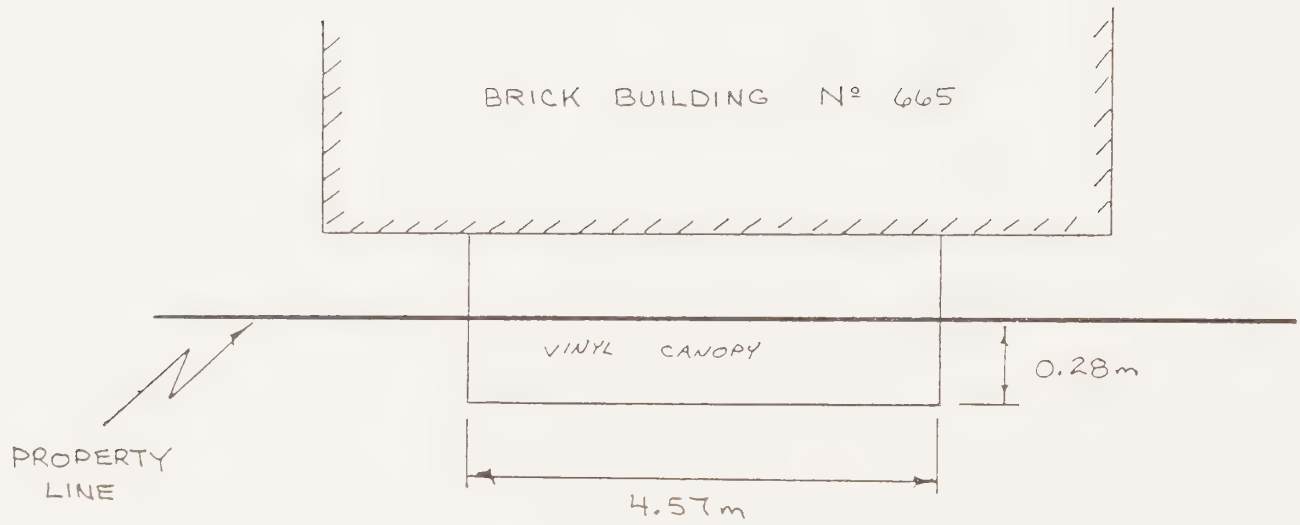
for the Minister of Revenue



THENCE southerly parallel with the westerly boundary of said
lot nineteen to Barton Street.

THENCE westerly along the north side of Barton Street
to the place of beginning.

SCHEDULE "B"



BARTON STREET

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTHBY-LAW NO. R89-030

Being a By-law to constitute and appoint a
LAND DIVISION COMMITTEE
for the Regional Municipality of Hamilton-Wentworth
and to REPEAL By-law No. R86-029

WHEREAS the Regional Council may by virtue of the provisions of the Planning Act, S.O. 1983, Chapter 1, Section 55 as amended, constitute and appoint a Land Division Committee composed of such number of persons, not fewer than three, as the Regional Council considers advisable, to grant consents pursuant to Section 49 of the Planning Act; and

WHEREAS Regional Council did at a meeting held June 7, 1983 approve of Item 5 (d) of the Regional Planning & Development Committee, Report No. 10-83, whereby the power of consent approval under Section 49 (1) of the Planning Act was resolved to be delegated to the Regional Land Division Committee pursuant to Section 53 (4) of the Planning Act.

NOW THEREFORE, THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. That a Land Division Committee is hereby constituted for the Regional Municipality of Hamilton-Wentworth.
2. That the following members appointed to the Regional Land Division Committee are hereby confirmed for the term of Council expiring November 30, 1991:

Michael Hill	Ancaster
John M. Southall	Dundas
James Smith	Flamborough
George Martin	Glanbrook
Lindsay Nelson	Hamilton
Wm. Powell Sr.	Hamilton
J. Douglas Welland	Hamilton
Joseph E. Whitfield	Stoney Creek

3. (a) That the Chairman shall be elected by the Committee and in his absence or illness, the Committee shall appoint an Acting Chairman who shall act in the place and stead of the Chairman.
- (b) Three of the members of the Committee being present shall constitute a quorum.
- (c) No matter within the jurisdiction of the Committee, under Section 49 of the Planning Act, shall be decided unless a quorum of the Committee is present and voting.

4. The Land Division Committee is hereby constituted and appointed to grant consents pursuant to Section 49 of the Planning Act.
5. (a) Each member of the committee, except the Chairman, is to be paid an allowance of \$55.00 per day for attendance at meetings of the said Committee.
- (b) The Chairman, or the member acting as Chairman in the absence of the Chairman, is to be paid an allowance of \$66.00 per day for attendance at meetings of said committee.
- (c) Each member of the Land Division Committee is to be paid an allowance of 24¢ per kilometer plus parking for motor vehicle expenses while on committee business.
- (d) Each member of the Land Division Committee is to be paid for out-of-pocket expenses, including lunch and dinner, while on committee business, but excluding attending meetings of the committee.
- (e) Members of the Land Division Committee, when carrying out site inspections within their respective municipalities, shall be paid a sum of \$5.00 per inspection plus mileage.
6. That By-law No. R86-029 is hereby repealed.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED THIS

7th day of March 1989.

Approved
as to form
LAC
Regional
Solicitor


Chairman


Clerk

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-031

being a by-law to amend By-Law R88-108
to appoint an Acting Clerk Pro Tempore
pursuant to the provisions of The Regional
Municipality of Hamilton-Wentworth Act.

WHEREAS Section 17(3) of The Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, c. 437 provides for an Acting Clerk Pro Tempore to be appointed whenever the office of Clerk is vacant or the Clerk is unable to carry on her duties due to illness or otherwise, and that such person shall have all the powers and duties of the Clerk, and

WHEREAS By-Law R88-108 appoints the Regional Commissioner of Legal Services as the Acting Clerk Pro Tempore during the absence of the Regional Clerk, and

WHEREAS in the absence of both the Regional Clerk and the Regional Commissioner of Legal Services, it is advisable that an Acting Clerk Pro Tempore be appointed to carry out such duties during such absence.

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. By-Law R88-108 be amended by adding the following provision:

"That the Acting Commissioner of Legal Services is appointed Acting Clerk Pro Tempore in the absence of the Regional Clerk and the Commissioner of Legal Services."

This By-law shall come into force and take effect upon the passing and enactment thereof.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED this 7th
day of March, 1989.

Chairman

Clerk

Approved
as to form
Regional
Solicitor

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-032

being a by-law to appoint an Acting Clerk Pro Tempore pursuant to the provisions of The Regional Municipality of Hamilton-Wentworth Act.

WHEREAS Section 17(3) of The Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, c. 437 provides for an Acting Clerk Pro Tempore to be appointed whenever the office of Clerk is vacant or the Clerk is unable to carry on her duties due to illness or otherwise, and that such person shall have all the powers and duties of the Clerk, and

WHEREAS the Regional Clerk and the Commissioner of Legal Services, the Acting Clerk Pro Tempore, were absent from their Regional Offices on November 24, 1988, and

WHEREAS it is advisable to appoint an Acting Clerk Pro Tempore to carry out such duties during such absence and to ratify the actions of the Acting Clerk Pro Tempore.

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. That the appointment of Timothy R. Leblovic as Acting Clerk Pro Tempore for November 24, 1988 during the absence of the Regional Clerk and the Commissioner of Legal Services be approved and the actions of the Acting Clerk Pro Tempore on November 24, 1988 be ratified.

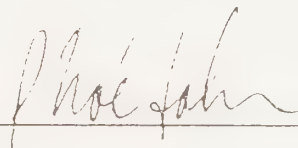
This By-law shall come into force and take effect upon the passing and enactment thereof.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED this 7th day of March, 1989.

Chairman



Clerk



Approved
as to form

Regional
Solicitor

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTHBY-LAW NO. R89-033TO AMENDBY-LAW NO. R76-144 TO REGULATE TRAFFIC

WHEREAS Section 36(1) of the Regional Municipality of Hamilton-Wentworth Act, R.S.O., 1980, Chapter 437, as amended, confers upon the Regional Municipality of Hamilton-Wentworth, with respect to the roads in the Regional Road System and the regulation of traffic thereon, all the powers conferred upon the Council or Corporation of a city by the Municipal Act, the Highway Traffic Act and any other Act with respect to highways; and

WHEREAS Section 210(117) of the Municipal Act, R.S.O., 1980, Chapter 302, as amended, confers upon the Councils of the local municipalities the power to pass by-laws for regulating traffic on highways subject to the Highway Traffic Act, and

WHEREAS it is deemed advisable that the regulations pertaining to traffic on certain highways under the jurisdiction of the Regional Municipality of Hamilton-Wentworth be amended:

, THEREFORE, THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

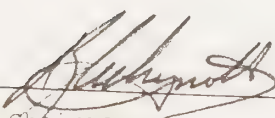
1. Schedule 42 to By-Law R76-144 passed and enacted on the 7th day of September, 1976 is hereby amended by deleting the following items from Section c) Dundas:

"Sydenham Rd. North Town Limits Cayley St. 1 March 30 April"

2. In all other respects, By-Law R76-144 and Schedules thereto are hereby confirmed, unchanged.
3. This By-Law shall come into force and take effect on the date of its passing and enactment.

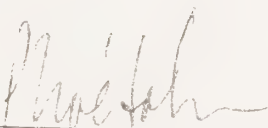
READ A FIRST, SECOND AND THIRD TIME, AND FINALLY PASSED AND ENACTED

this 7th day of March, 1989.


Chairman

Approved
as to form

Regional
Solicitor


Clerk

BY-LAW NO. R89-034

TO AMENDBY-LAW NO. R76-144 TO REGULATE TRAFFIC

WHEREAS Section 36(1) of the Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, Ch. 437 as amended, confers upon the Regional Municipality of Hamilton-Wentworth, with respect to the roads in the Regional Road System and the regulation of traffic thereon, all the powers conferred upon the council or corporations of a city by the Municipal Act, the Highway Traffic Act and any other Act with respect to highways; and

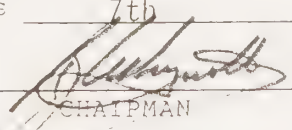
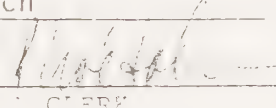
WHEREAS Section 210 (117) of the Municipal Act, R.S.O. 1980, Chapter 302, as amended, confers upon the councils of the local municipalities the power to pass by-laws for regulating traffic on highways subject to the Highway Traffic Act; and

WHEREAS it is deemed advisable that the regulations pertaining to traffic on certain highways under the jurisdiction of the Regional Municipality of Hamilton-Wentworth be amended;

NOW, THEREFORE, THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. By-Law R76-144 passed and enacted on the 7th day of September, 1976, is hereby amended by deleting therefrom, clause (b) of subsection (f) of Section 7.2.01 in its entirety and substituting therefor the following, namely:
"(b) That payment has been made to the Regional Finance Commissioner in the case of a single unit truck, of a fee in the sum of \$193 for each tonne in excess of the registered gross weight of the truck, and, in the case of a trailer, \$116 for each tonne in excess of the registered gross weight of the trailer."
2. In all other respects, By-law R76-144 and Schedules thereto are hereby confirmed, unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED and ENACTED
this 7th day of March 1989.


CHAIRMAN
CLERK

Approved
as to form
S.L.C.
Regional
Solicitor

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-035

To confirm the proceedings of the Council at its meeting held on the following date:

THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. The Action of the Council at its meeting held on the 7th day of March, 1989, in respect of each recommendation contained in the Reports of its Committees.

<u>NAME</u>	<u>NO.</u>
Special Airport Committee Report	03-89
Economic Development and Planning Committee Report	04-89
Engineering Services Committee Report	04-89
Finance and Personnel Committee Report	04-89
Freeway Steering Committee Report	03-89
Health and Social Services Committee Report	04-89
Information Systems Committee Report	02-89 as amended
Legislaton & Reception Committee Report	3-89

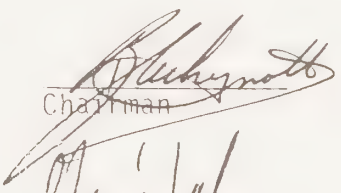
and Regional Officials

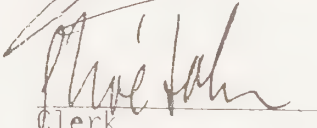
<u>NAME</u>	<u>NO.</u>
Chairman's Report	04-89

considered by Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the Council at its said meetings, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Chairman of the Council and the proper officials of the Regional Municipality are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and, except where otherwise provided, the Chairman, the Clerk and the Treasurer are hereby directed to execute all documents necessary in that behalf, and the Clerk is hereby authorized and directed to affix the Corporate Seal of the Regional Corporation to all such documents.

READ A FIRST, SECOND AND THIRD TIME and Finally Passed and Enacted this 7th, day of March, 1989.


Chairman


Clerk

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-036

TO AMEND;

By-law No. 7970

RESPECTING;

PENSION ON TOTAL AND PERMANENT DISABILITY

WHEREAS Section 24 (1) of the Regional Municipality of Hamilton-Wentworth Act R.S.O. 1980, c. 437, as amended, empowers the Region to amend the Hamilton Municipal Employees Retirement Fund By-law 7970 passed on 15th day of February, 1957, from time to time;

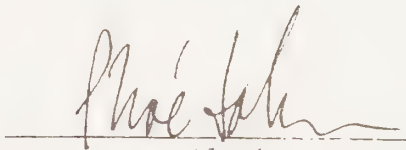
AND WHEREAS it is desirable to amend the provisions regarding the approval and payment of disability benefits to eligible members.

NOW THEREFORE the Council of the Regional Municipality of Hamilton-Wentworth enacts as follows;

1. That Article VIII, Section 4, 5, and 6, of By-law 7970 be amended by deleting the word "Committee" and substituting the word "Administrator".
2. In all other respects, the contents of By-law 7970, as amended, are hereby confirmed unchanged.

Read a first, second and third time and finally passed and enacted this 21st day of March, 1989.


Chairman


Clerk

Approved
as to form

Regional
Solicitor

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-037

TO AMEND;

By-law No. 7970

RESPECTING;

PAYMENT OF BENEFITS

WHEREAS Section 24 (1) of the Regional Municipality of Hamilton-Wentworth Act empowers the Region to amend the Hamilton Municipal Employees Retirement Fund By-law 7970 passed on 15th day of February, 1957, from time to time;

AND WHEREAS it is desirable to amend the provisions regarding payment of deferred vested pensions to permit payment of a benefit to Walter Vucetich, in accordance with Section 50 of the Pension Benefits Act, 1987, and provided satisfactory medical evidence of compliance with the said Section 50 has been presented, subject to the approval of the Pension Commission of Ontario.

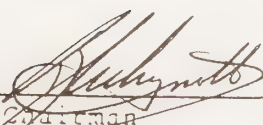
NOW THEREFORE the Council of the Regional Municipality of Hamilton-Wentworth enacts as follows;

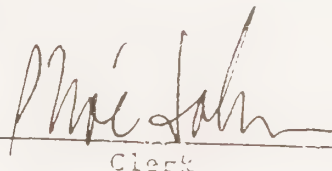
1. Article XVII of By-Law No. 7970, as amended, is further amended by adding the following section thereto:

"4. That the commuted value of the deferred vested pension or a return of contributions, whichever is greater, of Walter Vucetich, former member of The Hamilton Municipal Employees Retirement Fund, now known as the Hamilton-Wentworth Retirement Fund, who terminated employment on January 16, 1979, be refunded to such former member. This refund represents the full benefit of Walter Vucetich under the Hamilton-Wentworth Retirement Fund, and he will receive no further benefits or payments thereunder."

2. That in all other respects Regional By-law No. 7970, as amended, is hereby confirmed unchanged.

Read a first, second and third time and finally passed and enacted this 21st day of March, 1989.


Chairman


Clerk

Approved
as to form


Secretary



By - 1000 11/1/2000

1000 11/1/2000

1000 11/1/2000

1000 11/1/2000

1000 11/1/2000

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-039

To Authorize Agreements
for the construction, maintenance and use
of buildings or parts thereof, over, across or
under a Regional Road

WHEREAS Section 39a(1) of the Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, Chapter 437, as amended, provides that Regional Council may by by-law authorize agreements between the Regional Corporation and the owners or lessees of land abutting on a highway under the jurisdiction and control of the Regional Corporation for the construction, maintenance and use of buildings or parts thereof, over, across or under the highway upon such terms and conditions as may be agreed,

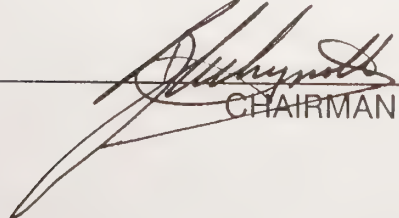
AND WHEREAS the Regional Municipality of Hamilton-Wentworth by its Council on March 21, 1989 did approve of item 11 of Report No. 05-89 of the Engineering Services Committee to approve a by-law to authorize such an agreement between the Region and the owner of 21 King Street West, Hamilton, Ontario,

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. That the Regional Municipality of Hamilton-Wentworth enter into an agreement with the Applicant, Dominion Realty Limited, being the owner of the premises at 21 King Street West, Hamilton, Ontario for the construction, maintenance and use of an underground parking garage upon the road allowance of King Street West upon the terms and conditions contained in the agreement attached hereto as Schedule I.
2. The Regional Chairman, Regional Clerk and Regional Treasurer are hereby authorized to sign and execute all necessary documents to implement this By-law.
3. Schedule I attached to this By-law is included in and shall be considered part of this By-law.
4. This By-law shall come into force and take effect on the date of its passing and enactment.

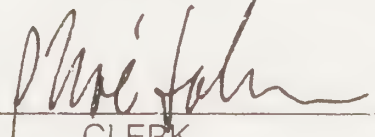
READ A FIRST, SECOND and THIRD TIME and FINALLY PASSED and ENACTED

this 21st day of March 19 89


CHAIRMAN

Approved
as to form

Regional
Solicitor


CLERK

THIS AGREEMENT made this day of 19

B E T W E E N:

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH,

Hereinafter called "the Region" of the First Part,

- and -

DOMINION REALTY LIMITED,

Hereinafter called "the Applicant" of the Second Part.

WHEREAS the Applicant is the registered owner of the property known municipally as 21 King Street West, in the of City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, more particularly described in Schedule "A" attached hereto;

AND WHEREAS Section 309(3) of the Municipal Act, R.S.O. 1980, Chapter 302, as amended, provides that the Council of every municipality may pass by-laws for permitting any person to place, construct, install, maintain, and use objects in, on, under, or over highways under such conditions as may be agreed upon;

AND WHEREAS the Regional Municipality of Hamilton-Wentworth did by By-law No. on the day of 19 approve the privilege hereinafter permitted to the Applicant, which application for privilege was presented at the meeting of the Council on the said date as Item in a Report to the Regional Council of the Engineering Services Committee.

NOW THEREFORE the parties hereby covenant and agree as follows:

1. That the Applicant, being the owner of the premises at 21 King Street West, Hamilton (more particularly described in Schedule "A" attached hereto), may during the pleasure of Regional Council retain the encroachment of:

- (1) an extension of the underground parking garage for the Stage II Tower into the road allowance of King Street West, adjacent to the north line of the Stage II lands, 179.3 m²
(4.0 m X 44.8 m)

(hereinafter referred to collectively as "the works")

onto the road allowance of King Street West, as shown on a sketch attached hereto as Schedule "B", but so as not to interfere with the free and safe passage of persons and vehicles using the said road allowance.

2. All fees, costs, and expenses due and payable by the Applicant to the Region, or paid or incurred by the Region under this agreement may in the event of default of such payment be recovered by the Region by distraint or lawsuit and the Region may in addition, thereupon terminate the agreement as provided in paragraph 12.

3. The sum of \$198.00 shall be due payable in advance to the Region immediately after the date of approval of the privilege at the Meeting of the said Regional Council.

4. The Applicant shall pay to the Region encroachment fees according to the following table:

1989:	\$ 579	1996:	\$ 4,632	2003:	\$ 8,685
1990:	\$ 1,158	1997:	\$ 5,211	2004:	\$ 9,264
1991:	\$ 1,737	1998:	\$ 5,790	2005:	\$ 9,843
1992:	\$ 2,316	1999:	\$ 6,369	2006:	\$10,422
1993:	\$ 2,895	2000:	\$ 6,948	2007:	\$11,001
1994:	\$ 3,474	2001:	\$ 7,527	2008:	\$11,580
1995:	\$ 4,053	2002:	\$ 8,106		

in advance on the 1st day of January in each year, with the exception of the first payment which shall be made upon execution of this agreement. After 2008, the fee shall be 10% of 50% of fair market value to be agreed or arbitrated then and each subsequent ten years.

5. The Applicant shall and does hereby at all times covenant to indemnify and save harmless the Region from and against all actions, causes of action, interest, claims, demands, costs, damages, expenses, or loss which the Region may bear, suffer or be put to by reason of any damage to property or injury or death to any person as a result of the privilege herein allowed to the Applicant. At the time of the execution of this agreement, the Applicant shall deliver to the Region an endorsement from its general liability insurance policy confirming that the Region has been named as an additional insured for third party bodily injury and property damage arising out of the granting of this agreement to a limit of \$1,000,000. This policy shall be kept in force, by the Applicant during the term of this agreement. Upon written request of the Region, the Applicant shall forthwith deliver to the Region endorsements for the aforesaid policy current for that year.

6. The Applicant acknowledges that he is liable to pay all taxes, charges, duties, rates, levies, and business taxes assessed in respect to the occupation or use of the road allowance abutting the lands described in Schedule "A", the works herein allowed to the Applicant on, over, or under the said road allowance, arising pursuant to the Assessment Act. R.S.O. 1980, chapter 31 as amended, and to the Local Improvement Act. R.S.O. 1980 chapter 250 as amended, as and when the same become due and payable.

7. In no case whatsoever shall compensation be payable to the Applicant for improvements (if any) to the road allowance.

8. The Applicant shall at all times keep and maintain the works in a good and proper state of repair and safety.
9. Only the works herein authorized may be erected by the Applicant.
10. The design, construction, and location of the said works, shall be previously approved by the Commissioner of Engineering hereinafter referred to as the Commissioner, and shall be erected and maintained in all respects by the Applicant to the approval of the Commissioner, but the fact that the Commissioner shall have been satisfied with the design, location and construction shall in no way discharge or modify any liability or obligation of the applicant that may arise from this agreement.
11. If on the erection of the said works any act or thing shall be contrary to the order or direction of the Commissioner or if any act or thing shall be done of which the Commissioner shall disapprove or if in the opinion of the Commissioner the Applicant shall fail to maintain the said works in a safe condition, the Commissioner shall verbally or in writing require the Applicant to alter or repair the same and if same shall not be altered or repaired within forty-eight hours after such requirement or if the Applicant shall neglect or refuse to remove the said works or things within 30 days after notice to remove the same shall have been delivered or posted as mentioned in paragraph 17 of this agreement, then and in any such case the Region may cause the required work to be done either by its own servants or by some other person and the cost of any such work may be recovered by the Region as set out in paragraph 2 of this agreement.
12. This agreement may be terminated at any time by the Region or the Applicant for any reason after the delivery to the other of written notice of its intention to terminate at least thirty days prior to such termination.
13. Within 30 days of the delivery by the Applicant to the Region of notice of its intention to terminate this agreement or upon receipt of such notice from the Region, the applicant shall remove the said works and restore that part of the road allowance occupied by the works in a condition acceptable to the Commissioner. If the Applicant defaults to perform such work of removal and restoration, then the Region may perform the same and recover its costs as set out in paragraph 2 and/or by such legal action as it deems necessary.
14. The Applicant shall observe and comply with all parliamentary and legislative enactments and with all by-laws and regulations of the Region or the City of Hamilton (Area Municipality) and all notices, orders and demands given by the Region through its Commissioner respecting the subject lands and the works thereon.

15. This Agreement is subject to all rights now or that may hereafter be vested in the Region, the City of Hamilton (Area Municipality) or in any gas, telephone, telegraph, electric light, or other utility Company, in respect of the care and improvement of the streets, the construction, repair, replacement or removal of sewers, mains, culverts, drains, water or gas pipes or the placing of poles or wires (herein called "services"), therein.

The Region expressly reserves to itself the right to construct services or permit services to be constructed therein. The Applicant shall not be entitled to any damages by reason of the exercise of the Region's rights contained in this paragraph and the Applicant shall at his own expense carry out such alteration of the works as the Regional Authority may direct.

16. No length of time or of enjoyment by the Applicant shall enure to give any right, title or interest to the Applicant or his successors in title, in the subject lands or to maintain the said works on, under, across or above (as the case may be) the said road allowance or shall deprive the Region by the operation of any limitation period or otherwise of any right to require the removal thereof the restoration of the road allowance.

17. Any notice to be given to the Region shall be delivered or posted by prepaid mail addressed to:

The Regional Clerk
The Regional Municipality of Hamilton-Wentworth
119 King Street West, 15th Floor, P.O. Box 910
Hamilton, Ontario
L8P 4T9

or such other addresses as may hereinafter be assigned.

Any notice to be given to the Applicant shall be delivered or posted by prepaid mail addressed to the Applicant at:

*

18. The word "Applicant" in this agreement means the Applicant named herein including the person in possession of the property set out in Schedule "A" attached hereto, it being agreed that this Agreement shall be binding upon the heirs, executors, administrators, successors, tenants, lessees, and assigns of the Applicant.

— 17 —

*


APPROVED
DEPARTMENT OF ENGINEERING

Approved
as to form
WIE
Regional
Solicitor

RYEDALE "1"

DESCRIPTION OF LANDS

DATED: _____ 19 _____

THE REGIONAL MUNICIPALITY OF
HAMILTON-WENTWORTH

- to -

DOMINION REALTY LIMITED

TWO PARTY
ENCROACHMENT
ADDRESS:

Regional Solicitor
The Regional Municipality of
Hamilton-Wentworth
119 King Street West
Hamilton, Ontario

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-040

To Permit the Erection and Maintenance of
Objects Upon a Regional Road

WHEREAS Section 309(3) of the Municipal Act, R.S.O. 1980, Chapter 302, as amended, provides that the Council of every municipality may pass by-laws for permitting any person to place, construct, install, maintain, and use objects in, on, under, or over highways under such conditions as may be agreed upon for prescribing the terms and conditions upon which the same are to be placed, constructed, installed, maintained, or used, and for making such annual or other charge for the privilege conferred by the by-law as it considers reasonable,

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. The applicant(s) CLEMENT BORIS FEIERABEND, residing at 34 Dundurn Street North, Hamilton, Ontario, and being the Owner(s) of the said premises is hereby granted the privilege of erecting and maintaining the Frame Dwelling upon the highway allowance of Dundurn Street North, Hamilton, Ontario, upon the terms and conditions contained in the agreement hereto as Schedule I.
2. The Regional Chairman, Regional Clerk and Regional Treasurer are hereby authorized to sign and execute all necessary documents to implement this By-law.
3. Schedule I attached to this By-law is included in and shall be considered part of this By-law.
4. This By-law shall come into force and take effect on the date of its passing and enactment.

READ A FIRST, SECOND and THIRD TIME and FINALLY PASSED and ENACTED

this 21st day of March 1989


CHAIRMAN
CLERK

Approved
as to form

Regional
Solicitor

FOR OFFICE USE ONLY

(1) Registry ☒Land Titles ☐

(2) Page 1 of 9 pages

(3) Property Identifier(s) Block Section

Additional
See
Schedule ☐

(4) Nature of Document

Encroachment Agreement

(5) Consideration

See Attached Schedule

Dollars \$ 1.00

(6) Description

See Attached Schedule "A"

New Property Identifiers

Additional:
See
Schedule ☐

Executions

Additional:
See
Schedule ☐(7) This
Document
Contains:(a) Redescription
New Easement
Plan/Sketch ☐(b) Schedule for
Description ☒Additional
Parties ☐ Other ☐

(8) This Document provides as follows:

See Attached Schedule "1"

Continued on Schedule ☐

(9) This Document relates to instrument number(s)

(10) Party(ies) (Set out Status or Interest)

Name(s)

Signature(s)

Date of Signature
Y M D

THE REGIONAL MUNICIPALITY

OF HAMILTON-WENTWORTH

Approved
as to form CHAIRMANRegional
Solicitor

REGIONAL CLERK

COMMISSIONER OF FINANCE

(11) Address

for Service

P.O. Box 310, 113 King St. W., Hamilton, Ontario L8N 3V9

(12) Party(ies) (Set out Status or Interest)

Name(s)

Signature(s)

Date of Signature
Y M D

Clement Feierabend

X- Clement Feierabend

1981 12 12

(13) Address

for Service

(14) Municipal Address of Property

34 Dundurn Street North
Hamilton, Ontario
L8R 3C7

(15) Document Prepared by:

The Regional Municipality
of Hamilton-Wentworth
Engineering Department
71 Main Street West
Hamilton, Ontario
L8N 3T4

Fees and Tax

Registration Fee

Total

FOR OFFICE USE ONLY

THIS AGREEMENT made this 28th day of April 1988

B E T W E E N:

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH,
Hereinafter called "the Region" of the First Part,

- and -

CLEMENT BORIS FEIERABEND
Hereinafter called "the Applicant" of the Second Part.

WHEREAS the Applicant is the registered owner of the property known municipally as 34 Dundurn Street N in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, more particularly described in Schedule "A" attached hereto;

AND WHEREAS Section 309(3) of the Municipal Act, R.S.O. 1980, Chapter 302, as amended, provides that the Council of every municipality may pass by-laws for permitting any person to place, construct, install, maintain, and use objects in, on, under, or over highways under such conditions as may be agreed upon;

AND WHEREAS the Regional Municipality of Hamilton-Wentworth did by By-law # on the day of 19 approve the privilege hereinafter permitted to the Applicant, which application for privilege was presented at the meeting of the Council on the said date as Item in a Report to the Regional Council of the Engineering Services Committee.

NOW THEREFORE the parties hereby covenant and agree as follows:

1. That the Applicant, being the owner of the premises at 34 Dundurn Street North, Hamilton (more particularly described in Schedule "A" attached hereto), may during the pleasure of Regional Council retain the encroachment of:

1. Frame Dwelling (0.69m x 2.83m)
(hereinafter referred to collectively as "the works")

onto the road allowance of Dundurn Street North, as shown on a sketch attached hereto as Schedule "B", but so as not to interfere with the free and safe passage of persons and vehicles along the said road allowance.

2. All fees, costs, and expenses due and payable by the applicant to the Region, or paid or incurred by the Region under this agreement may in the event of default of such payment be recovered by the Region by distraint or lawsuit and the Region may in addition, thereupon terminate the agreement as provided in paragraph 12.

3. The sum of \$109.00 shall be due payable in advance to the Region immediately after the date of approval of the privilege at the Meeting of the said Regional Council.

4. The Applicant shall pay to the Region yearly and every year during the currency of this agreement the annual sum or fee of \$NIL or as may be determined by By-law from time to time in advance on the 1st day of January in each year, with the exception of the first payment which shall be made upon execution of this agreement.

5. The Applicant shall and does hereby at all times covenant to indemnify and save harmless the Region from and against all actions, causes of action, interest, claims, demands, costs, damages, expenses, or loss which the Region may bear, suffer or be put to by reason of any damage to property or injury or death to any person as a result of the privilege herein allowed to the Applicant. At the time of the execution of this agreement, the Applicant shall deliver to the Region an endorsement from its general liability insurance policy confirming that the Region has been named as an additional insured for third party bodily injury and property damage arising out of the granting of this agreement to a limit of \$1,000,000. This policy shall be kept in force, by the Applicant during the term of this agreement. Upon written request of the Region, the Applicant shall forthwith deliver to the Region endorsements for the aforesaid policy current for that year.

6. The Applicant acknowledges that he is liable for all taxes, charges, duties, rates, levies, and business taxes assessed in respect to the occupation or use of the road allowance abutting the lands described in Schedule "A", the works herein allowed to the Applicant on, over, or under the said road allowance, arising pursuant to the Assessment Act. R.S.O. 1980, chapter 31 as amended, and to the Local Improvement Act. R.S.O. 1980 chapter 250 as amended, as and when the same become due and payable.

7. In no case whatsoever shall compensation be payable to the Applicant for improvements (if any) to the road allowance.

8. The Applicant shall at all times keep and maintain the works in a good and proper state of repair and safety.

9. Only the works herein authorized may be erected by the Applicant.

10. The design, construction, and location of the said works, shall be previously approved by the Commissioner of Engineering hereinafter referred to as the Commissioner, and shall be erected and maintained in all respects by the Applicant to the approval of the Commissioner, but the fact that the Commissioner shall have been satisfied with the design, location and construction shall in no way discharge or modify any liability or obligation of the applicant that may arise from this agreement.

11. If on the erection of the said works any act or thing shall be contrary to the order or direction of the Commissioner or if any act or thing shall be done of which the Commissioner shall disapprove or if in the opinion of the Commissioner the Applicant shall fail to maintain the said works in a safe condition, the Commissioner shall verbally or in writing require the Applicant to alter or repair the same and if same shall not be altered or repaired within forty-eight hours after such requirement or if the Applicant shall neglect or refuse to remove the said works or things within 30 days after notice

to remove the same shall have been delivered or posted as required in paragraph 17 of this agreement, then and in any such case the Region may cause the required work to be done either by its own servants or by some other person and the cost of any such work may be recovered by the Region as set out in paragraph 2 of this agreement.

12. This agreement may be terminated at any time by the Region or the Applicant for any reason after the delivery to the other of written notice of its intention to terminate at least thirty days prior to such termination.

13. Within 30 days of the delivery by the Applicant to the Region of notice of its intention to terminate this agreement or upon receipt of such notice from the Region, the applicant shall remove the said works and restore that part of the road allowance occupied by the works in a condition acceptable to the Commissioner. If the Applicant defaults to perform such work of removal and restoration, then the Region may perform the same and recover its costs as set out in paragraph 2 and/or by such legal action as it deems necessary.

14. The Applicant shall observe and comply with all parliamentary and legislative enactments and with all by-laws and regulations of the Region or the City of Hamilton (Area Municipality) and all notices, orders and demands given by the Region through its Commissioner respecting the subject lands and the works thereon.

15. This Agreement is subject to all rights now or that may hereafter be vested in the Region, the City of Hamilton (Area Municipality) or in any gas, telephone, telegraph, electric light, or other utility Company, in respect of the care and improvement of the streets, the construction, repair, replacement or removal of sewers, mains, culverts, drains, water or gas pipes or the placing of poles or wires (herein called "services"), therein.

The Region expressly reserves to itself the right to construct services or permit services to be constructed therein. The Applicant shall not be entitled to any damages by reason of the exercise of the Region's rights contained in this paragraph and the Applicant shall at his own expense carry out such alteration of the works as the Regional Authority may direct.

16. No length of-time or of enjoyment by the Applicant shall enure to give any right, title or interest to the Applicant or his successors in title, in the subject lands or to maintain the said works on, under, across or above (as the case may be) the said road allowance or shall deprive the Region by the operation of any limitation period or otherwise of any right to require the removal thereof the restoration of the road allowance.

17. Any notice to be given to the Region shall be delivered or posted by prepaid mail addressed to:

The Regional Clerk
The Regional Municipality of Hamilton-Wentworth
119 King Street West, 15th Floor, P.O. Box 910
Hamilton, Ontario
L8P 4T9

or such other addresses as may hereinafter be assigned.

Any notice to be given to the Applicant shall be delivered or posted by prepaid mail addressed to the Applicant at:

34 Dundurn Street North

Hamilton, Ontario.

L8R 3C7

18. The word "Applicant" in this agreement means the Applicant named herein including the person in possession of the property set out in Schedule "A" attached hereto, it being agreed that this Agreement shall be binding upon the heirs, executors, administrators, successors, tenants, lessees, and assigns of the Applicant.

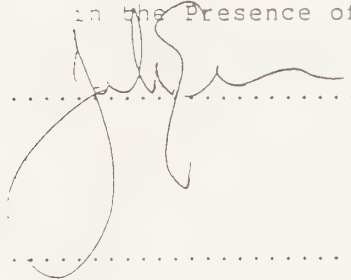
19. This Agreement is to be read with all the changes made necessary by the gender, number or corporate status of the Applicant herein.

IN WITNESS WHEREOF The Regional Municipality of Hamilton-Wentworth has hereunto affixed its corporate seal attested by the hands of its duly authorized officials in that behalf;

AND IN WITNESS WHEREOF, the Applicant has hereunto, set his
hand and seal this 30 day of May, 1988

SIGNED, SEALED AND DELIVERED

in the Presence of



) APPLICANT:

) Clement Feierabend

) CLEMENT BORIS FEIERABEND

) _____
) _____
) _____
) _____
) _____

THE REGIONAL MUNICIPALITY OF
HAMILTON-WENTWORTH

) _____
) Chairman

Approved:

) _____
) Commissioner of Finance

) _____
) Clerk


APPROVED
DEPARTMENT OF ENGINEERING

April 1987

Approved
as to form

Regional
Solicitor

DESCRIPTION

ALL AND SINGULAR THAT CERTAIN PARCEL or tract of land and premises, situate, lying and being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, and being composed of part of the north half of the north half of Lot Number Eleven (11), in Sir Allan McNab's Survey, Plan 41, in the block bounded by Adelaide (now Head), King, Dundurn and Sophia Streets in Hamilton aforesaid, and being more particularly described as follows:

COMMENCING at a point in the eastern limit of Dundurn Street North, distant Twenty-two feet (22') measured northerly thereon from the division line between the north and south halves of the north half of said Lot Number Eleven (11), which division line is distant Forty-six Feet Nine and Three-eighth Inches (46' 9-3/8") measured southerly along the said eastern limit of Dundurn Street North, (being also the westerly limit of said Lot), from the north-west angle of the said Lot:

THENCE Northerly along the eastern limit of Dundurn Street North aforesaid, Twenty-four Nine and Three eighth Inches (24' 9-3/8") to the northwest angle of said Lot, being the south-east corner of Dundurn Street North and Head Street;

THENCE Easterly along the southern limit of Head Street (being the northern limit of said Lot Eleven (11), Sixty-eight Feet Three Inches (68' 3") more or less to the northeast angle of said Lot:

THENCE Southerly along the eastern limit of the said Lot Twenty-four Feet, Nine and Seven-eighth Inches (24' 9-7/8") to a point distant Twenty-two feet (22') measured northerly along the said eastern limit from the said division line between the north and south halves of the north half of the said lot:

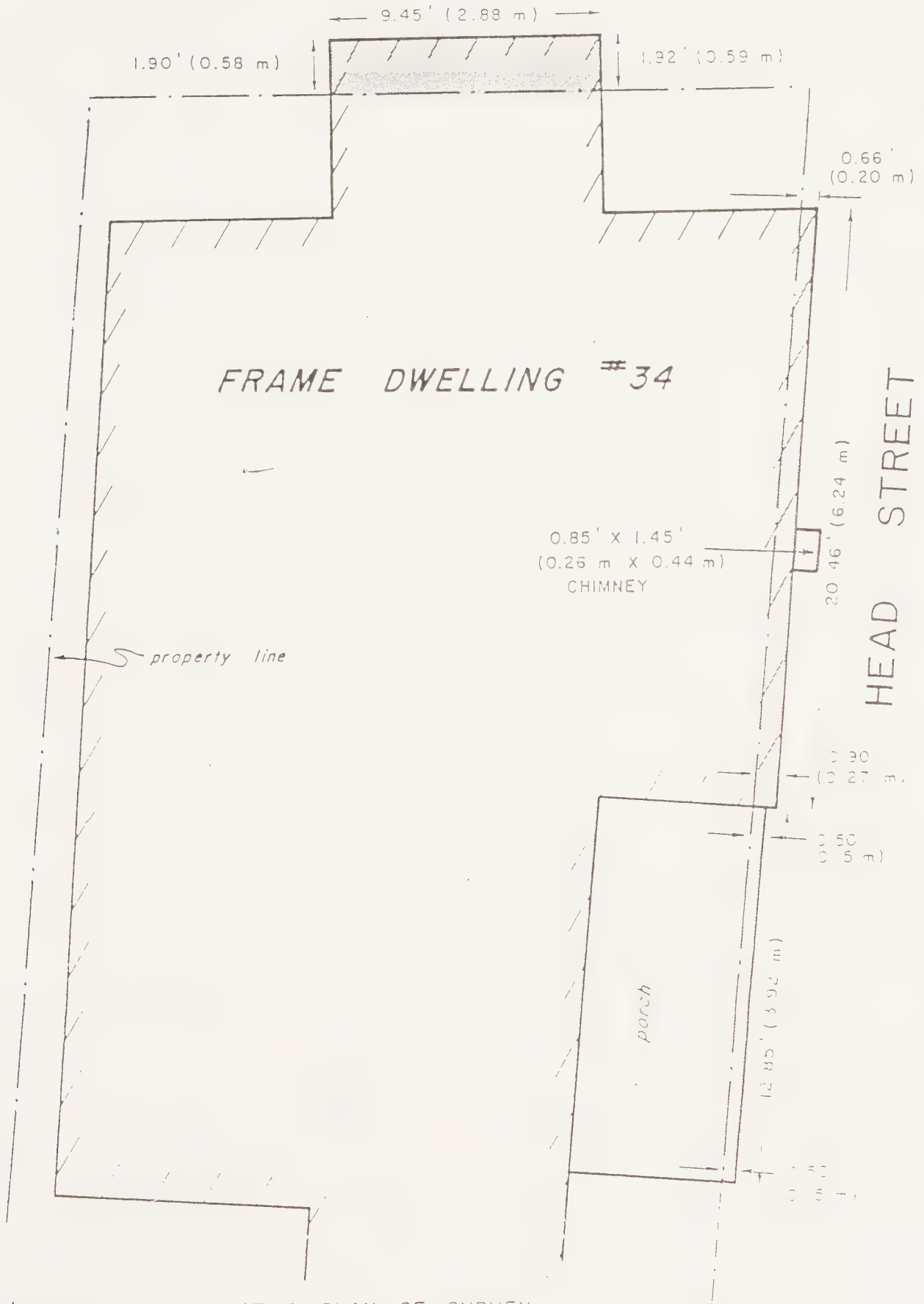
THENCE Westerly parallel to the southern limit of Head Street and the northern limit of the said Lot, sixty-eight feet three inches (68' 3") more or less to the place of beginning.

On the said lands is erected house and premises known as #34 Dundurn Street North.

As in Instrument No. 446652 C.D.

SKETCH OF "WORKS"

DUNDURN STREET NORTH



* NOTE: THIS IS NOT A PLAN OF SURVEY

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-041To Permit the Erection and Maintenance of
Objects Upon a Regional Road

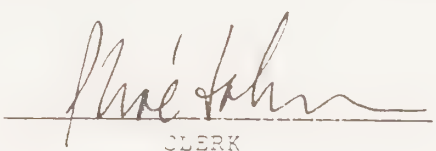
WHEREAS Section 309(3) of the Municipal Act, R.S.O. 1980, Chapter 302, as amended, provides that the Council of every municipality may pass by-laws for permitting any person to place, construct, install, maintain, and use objects in, on, under, or over highways under such conditions as may be agreed upon for prescribing the terms and conditions upon which the same are to be placed, constructed, installed, maintained, or used, and for making such annual or other charge for the privilege conferred by the by-law as it considers reasonable,

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. The applicant(s) JOSEPH ROCHWERG & HELEN ESCO, and being the Owner(s) of the said premises 212-214 King Street East, Hamilton are hereby granted the privilege of erecting and maintaining the 2 storey building and attached sign upon the highway allowance of King Street East upon the terms and conditions contained in the agreement hereto as Schedule I.
2. The Regional Chairman, Regional Clerk and Regional Treasurer are hereby authorized to sign and execute all necessary documents to implement this By-law.
3. Schedule I attached to this By-law is included in and shall be considered part of this By-law.
4. This By-law shall come into force and take effect on the date of its passing and enactment.

READ A FIRST, SECOND and THIRD TIME and FINALLY PASSED and ENACTED

this 21st day of March 19 89


CHAIRMAN
CLERK

Approved
as to form

Regional
Solicitor

FOR OFFICE USE ONLY

(1) Registry ☐		Land Titles ☐		(2) Price	
(3) Property Identifier(s)		Block	Property		Additional See Schedule ☐
(4) Nature of Document Encroachment Agreement					
(5) Consideration See Attached Schedule Dollars \$ 1.00					
(6) Description See Attached Schedule "A"					
New Property Identifiers		Additional: See Schedule ☐			
Executions		Additional: See Schedule ☐		(7) This Document Contains:	
		(a) Redescription New Easement Plan/Sketch ☐		(b) Schedule for: Description ☒ Additional Parties ☐ Other ☐	

(8) This Document provides as follows:

See Attached Schedule "1"

Continued on Schedule ☐

(9) This Document relates to instrument number(s)

(10) Party(ies) (Set out Status or Interest)		Signature(s)		Date of Signature Y M D	
Name(s)					
THE REGIONAL MUNICIPALITY OF		Approved			
HAMILTON-WENTWORTH		as to form			
		Regional		CHAIRMAN	
		Solicitor		REGIONAL CLERK	
				COMMISSIONER OF FINANCE	

(11) Address for Service P.O. Box 910, 119 King Street W., Hamilton, Ontario L8N 3V9

(12) Party(ies) (Set out Status or Interest)		Signature(s)		Date of Signature Y M D	
Name(s)					
ROCHWERG, Joseph				1982 01 15	
ESCO, Helen				1982 01 15	

(13) Address for Service 107 Bertram Drive, Dundas, Ontario

(14) Municipal Address of Property
212-214 King Street East
Hamilton, Ontario

(15) Document Prepared by:
The Regional Municipality
of Hamilton-Wentworth
Engineering Department
71 Main Street West
Hamilton, Ontario
L8N 3T4

FOR OFFICE USE ONLY	Fees and Tax	
	Registration Fee	
	Total	

Schedule "1"

THIS AGREEMENT made this 5th day of December 1980.

B E T W E E N:

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH,
Hereinafter called "the Region" of the First Part,

- and -

JOSEPH ROCHWERG AND HELEN ESCO

Hereinafter called "the Applicant" of the Second Part.

WHEREAS the Applicant is the registered owner of the property known municipally as 212-214 King St. East in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, more particularly described in Schedule "A" attached hereto;

AND WHEREAS Section 309(3) of the Municipal Act, R.S.O. 1980, Chapter 302, as amended, provides that the Council of every municipality may pass by-laws for permitting any person to place, construct, install, maintain, and use objects in, on, under, or over highways under such conditions as may be agreed upon;

AND WHEREAS the Regional Municipality of Hamilton-Wentworth did by By-law # _____ on the _____ day of _____ 19 _____ approve the privilege hereinafter permitted to the Applicant, which application for privilege was presented at the meeting of the Council on the said date as Item _____ in a Report to the Regional Council of the Engineering Services Committee.

NOW THEREFORE the parties hereby covenant and agree as follows:

1. That the Applicant, being the owner of the premises at 212-214 King Street East, Hamilton (more particularly described in Schedule "A" attached hereto), may during the pleasure of Regional Council retain the encroachment of:

- (i) 2 storey building and attached sign

(hereinafter referred to collectively as "the works")

Onto the road allowance of King Street East, as shown on a sketch attached hereto as Schedule "B", but so as not to interfere with the free and safe passage of persons and vehicles using the said road allowance.

-1-

6. The Applicant acknowledges that he is liable for all taxes, charges, duties, rates, levies, and business taxes assessed in respect to the occupation or use of the road allowance abutting the lands described in Schedule "A", the works herein allowed to the Applicant on, over, or under the said road allowance, arising pursuant to the Assessment Act. R.S.O. 1980, chapter 31 as amended, and to the Local Improvement Act. R.S.O. 1980 chapter 250 as amended, as and when the same become due and payable.

7. In no case whatsoever shall compensation be payable to the Applicant for improvements (if any) to the road allowance.

8. The Applicant shall at all times keep and maintain the works in a good and proper state of repair and safety.

9. Only the works herein authorized may be erected by the Applicant.

10. The design, construction, and location of the said works, shall be previously approved by the Commissioner of Engineering hereinafter referred to as the Commissioner, and shall be erected and maintained in all respects by the Applicant to the approval of the Commissioner, but the fact that the Commissioner shall have been satisfied with the design, location and construction shall in no way discharge or modify any liability or obligation of the applicant that may arise from this agreement.

11. If on the erection of the said works any act or thing shall be contrary to the order or direction of the Commissioner or if any act or thing shall be done of which the Commissioner shall disapprove or if in the opinion of the Commissioner the Applicant shall fail to maintain the said works in a safe condition, the Commissioner shall verbally or in writing require the Applicant to alter or repair the same and if same shall not be altered or repaired within forty-eight hours after such requirement or if the Applicant shall neglect or refuse to remove the said works or things

The Region expressly reserves to itself the right to construct services or permit services to be constructed therein. The Applicant shall not be entitled to any damages by reason of the exercise of the Region's rights contained in this paragraph and the Applicant shall at his own expense carry out such alteration of the works as the Regional Authority may direct.

16. No length of time or of enjoyment by the Applicant shall enure to give any right, title or interest to the Applicant or his successors in title, in the subject lands or to maintain the said works on, under, across or above (as the case may be) the said road allowance or shall deprive the Region by the operation of any limitation period or otherwise of any right to require the removal thereof the restoration of the road allowance.

17. Any notice to be given to the Region shall be delivered or posted by prepaid mail addressed to:

The Regional Clerk
The Regional Municipality of Hamilton-Wentworth
119 King Street West, 15th Floor, P.O. Box 910
Hamilton, Ontario
L8P 4T9

or such other addresses as may hereinafter be assigned.

Any notice to be given to the Applicant shall be delivered or posted by prepaid mail addressed to the Applicant at:

107 Bertram Drive

Dundas, Ontario

18. The word "Applicant" in this agreement means the Applicant named herein including the person in possession of the property set out in Schedule "A" attached hereto, it being agreed that this Agreement shall be binding upon the heirs, executors, administrators, successors, tenants, lessees, and assigns of the Applicant.

SCHEDULE "A"

DESCRIPTION OF LANDS

Part Lot 13, Concession 2, formerly Geographic Township of Barton, now City of Hamilton, Regional Municipality of Hamilton-Wentworth designated as Parts 1, 2, 3 & 4 on Reference Plan 62R-9900.

SCHEDULE "B"

SECTION OF "B"



KING STREET EAST

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTHBY-LAW NO. R89-042

TO ALTER GOLF LINKS ROAD FROM HIGHWAY 403
TO APPROXIMATELY 1.5km EASTERLY INCLUDING THE
CONSTRUCTION OF AN INTERIM CONNECTION WITH MOHAWK ROAD
OPPOSITE MOHAWK FLOWERS

TOWN OF ANCASTER

WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth is empowered under Section 31 of The Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, Chapter 437, as amended, to exercise any of the powers formerly conferred upon the Corporation of the County of Wentworth or the Hamilton-Wentworth Suburban Roads Commission or the Corporation of an Area Municipality in respect of the roads now included in the Regional road system;

AND WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth is empowered, under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302, as amended, to alter, establish and lay out any highway or part of a highway under its jurisdiction;

AND WHEREAS pursuant to Section 33(2) of The Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, Chapter 437, as amended the Regional Corporation may alter any public road, other than a road under the jurisdiction and control of the Ministry of Transportation, entering or touching upon or giving access to a road in the Regional road system;

AND WHEREAS it is necessary to alter Golf Links Road as described herein;

AND WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth, at its meeting held on January 17, 1989, authorized the reconstruction and alteration of Golf Links Road.

AND WHEREAS Notice of this By-Law has been published as required by Section 301 of the said Municipal Act;

AND WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth, through its Engineering Services Committee, has heard all persons who applied to be heard, whether in objection to, or in support of, this By-Law.

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. The reconstruction and alteration of Golf Links Road, as described in Schedule "A" attached hereto, be proceeded with.
2. The proper officials of the Regional Municipality of Hamilton-Wentworth are hereby authorized and directed to sign all documents and do all things necessary to implement these works.
3. Schedule "A" attached to this By-Law is included in and shall be considered part of this By-Law.
4. This By-Law shall come into force and take effect on the date of its passing and enactment.

READ A FIRST, SECOND AND THIRD TIME and FINALLY PASSED and ENACTED
this 21st day of March, 1989

Approved
as to form

Regional
Solicitor



SCHEDULE "A"

10

BY-LAW NO. R89-042

DESCRIPTION OF WORKS TO BE UNDERTAKEN

GOLF LINKS ROAD, TOWN OF ANCASTER

Reconstruction and road widening, from Highway 403 to approximately 1.5 km easterly including the construction of raised islands immediately east and west of Meadowlands Boulevard and the construction of an interim connection with Mohawk Road opposite Mohawk Flowers.

AMENDMENT NO. 35
TO
THE REGION OF HAMILTON-WENTWORTH
OFFICIAL PLAN
HAMILTON-WENTWORTH PLANNING AREA

December 1988

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ADOPTING BY-LAW OF
THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

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THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-043

BEING A BY-LAW TO ADOPT AMENDMENT NO. 35 TO THE OFFICIAL PLAN FOR THE HAMILTON-WENTWORTH PLANNING AREA ATTACHED TO AND FORMING PART OF REGIONAL BY-LAW NO. R

The Council of the Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 17 and 21 of The Planning Act, 1983, S.O. 1983, Ch.1, hereby enacts as follows:

1. THAT the text attached hereto and so designated is hereby adopted as Amendment No. 35 to the Official Plan for the Hamilton-Wentworth Planning Area.
2. THAT the Clerk of the Region is hereby directed to forward Amendment No. 35 to the Official Plan for the Hamilton-Wentworth Planning Area, to the Minister of Municipal Affairs for approval.
3. THAT the Official Plan attached to and forming part of By-Law No. R80-094 is hereby amended by adding thereto the text attached hereto.
4. THAT this By-Law shall come into force and take effect on the day of its final passing.

READ a first, second and third time and finally passed and enacted

this 21st day of March, 1989.


Chairman


Clerk

PART I

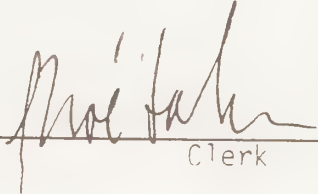
PART 1 THE CERTIFICATION

AMENDMENT NO. 35

TO THE REGION OF HAMILTON-WENTWORTH OFFICIAL PLAN
THE HAMILTON-WENTWORTH PLANNING AREA

Amendment No. 35 to the Region of Hamilton-Wentworth Official Plan, Hamilton-Wentworth Planning Area, constituting the explanatory text was prepared by the Planning and Development Department of the Regional Municipality of Hamilton-Wentworth and adopted by Regional Council by By-law No. R89-043 in accordance with Section 17 of The Planning Act, 1983, S.O. 1983, Ch.1, on the 21 day of March 1989.



Chairman

Clerk

PART II

PART II - THE PREAMBLE

1. TITLE

This Amendment shall be known as Amendment No. 35 to the Region of Hamilton-Wentworth Official Plan, Hamilton-Wentworth Planning Area.

2. COMPONENTS OF THIS AMENDMENT

Only that part of this document entitled "PART III - The Amendment", comprising the attached text, constitutes Amendment No. 35 to the Region of Hamilton-Wentworth Planning Area.

3. PURPOSE OF THE AMENDMENT

Amendment No. 35 is intended to replace existing policies in the Industrial-Business Parks section of the Official Plan with a new policy which will broaden the range of uses (mainly commercial) which are permitted, establish locational criteria to control the placement of these types of uses and a limitation as to the amount of commercial development permitted within the parks.

4. BASIS OF THE AMENDMENT

The Economic Strategy for Hamilton-Wentworth identifies a need for more office space in the Region's Industrial-Business Parks and recommends a greater emphasis be placed on attracting service sector operations to the Region. This approved policy along with increased development pressures for a wider range of permitted uses (especially commercial) in the Industrial-Business Parks and the overall economic climate in which increased employment opportunities and significant expansion in the service sector is being experienced, has necessitated a review of existing official plan policy and a tailoring of new policies to meet these new demands in the Industrial-Business Parks.

In addition, a survey has been completed (Report contained in Appendix A) regarding the positions of existing industrial and industrial/commercial operations in the Industrial-Business Parks, on the possibility of increasing the types of permitted uses in these parks. The study results indicated overwhelming support among the existing operations for expanding the range of non-industrial uses within the Industrial-Business Parks.

Commercially designated land is available throughout the Region, and some commercial uses are not appropriate in Industrial-Business Parks. Also, the amount of commercial development should be restricted to protect the primary function, viability, and integrity of these parks. It is appropriate, therefore, to place various limitations on the non-industrial development, restricting the types, location, and amount of commercial development in the parks.

The restriction on the amount of development is to apply only to retail commercial uses and is proposed at up to 10% of the gross area of the individual Industrial-Business Park. While this is a somewhat arbitrary figure it is necessary to ensure that the primary (industrial business) function of these parks is maintained.

PART III

PART III - THE AMENDMENT

1. INTRODUCTION

The whole of this part of the document entitled "PART III - The Amendment", which consists of the following text constitutes Amendment No. 35 to the Region of Hamilton-Wentworth Official Plan, Hamilton-Wentworth Planning Area.

2. DETAILS OF THE AMENDMENT

Section 2.3 - Industrial-Business Parks, is hereby amended by replacing the existing policy 2.3.1, including the specific reference to the Clappisons Corners Industrial-Business Park, with the following:

"2.3.1 To designate Industrial-Business Parks shown on Map No. 1 to accommodate primarily manufacturing, construction, wholesale establishments and truck terminals.

Ancillary and service type uses, including limited office development, land extensive commercial uses with warehouse/display areas requiring site and building specifications similar to industrial uses (excluding operations such as department stores, grocery stores and automobile dealerships), hotels, banks, restaurants and recreational facilities, which will not interfere or conflict with the primary activities may be permitted.

Grouped commercial uses of a combined retail/service nature that will not jeopardize established and planned retail areas fulfilling community level functions may also be permitted. Such uses in total shall not exceed 10% of the gross area of the individual Industrial-Business Park.

Area Municipal Plans (with the exception of the East Mountain Industrial-Business Park, as identified in the Official Plan of the City of Hamilton) shall contain detailed policies identifying the amount, type and locational criteria for these permitted ancillary/service and commercial uses. Generally such uses shall be directed to locations along major roads or in concentrated specifically planned and designated areas within the Industrial-Business Parks.

In addition, areas designated General Commercial in Area Municipal Official Plans and existing at the time of passage of Amendment No. 35 are recognized and the uses permitted therein may also be considered as permitted uses within the context of this policy, only for those designated areas.

PART IV

THE APPENDIX

1. APPENDIX "A"

Results, conclusions and recommendations from a survey conducted in the Fall of 1987 regarding the preferences of existing operations in the Region's-Industrial-Business Parks, to the possible expansion of the range of non-industrial (mainly commercial) uses in the industrial parks.

APPENDIX "A"

INDUSTRIAL-BUSINESS PARKS - NON-INDUSTRIAL USES REVIEW REGION OF HAMILTON-WENTWORTH

INTRODUCTION:

There are currently seven designated Industrial-Business Parks (I.B.P.) in the Region. Existing policies in the Hamilton-Wentworth Official Plan direct industrial development to these parks; but also place certain limitations on the types of ancillary activities or non-industrial uses which will be permitted. The main focus of these policies is to ensure the availability of sufficient industrially designated lands to meet the Region's future requirements.

However recent global, national and provincial economic developments have resulted in a changing economic climate with greater emphasis placed on the service sector of the economy. Community, business and personal services, public administration, wholesale and retail trade and finance, insurance and real estate, now constitute the growth sector of the economy and this trend is expected to continue and strengthen in the future.

The Economic Strategy for Hamilton-Wentworth addresses this sectoral shift in the economy and in assessing this trend in the Regional context indicates that, "In order to maximize the creation of jobs and further diversify the Regional economy, the strategy will focus on attracting jobs in the service sector." The identified target areas include corporate offices, services to business, finance, insurance and real estate and the health industry.

The strategy goes on to state that, "The Region needs a supply of office space in both the downtown and strategically-located industrial-business parks." One of the major target areas (service sector) for future growth has been identified and some of the prime locations for the types of uses are Industrial-Business Parks in the Region. In order to accommodate some of the targeted firms it may be necessary to revise official plan policies. Again the economic strategy suggests that, "Development standards in all industrial-business parks should be examined in light of the identified target industry types. Land use and development controls should be revised to accommodate the desired uses in appropriate locations."

While attraction of service sector uses to the Region is vital, their site location within the Region is also significant. It may not be desirable to direct all of this type of development to the Industrial-Business Parks since these non-industrial uses would further deplete the available prime industrial land and could create land use conflicts with existing and future industrial development. In addition, various policies in the Hamilton-Wentworth Official Plan direct retail activities to Regional and Sub-Regional Centres (7.4.1.2), and head offices, major bank branches and real estate firms (7.4.2.2.), community, business and personal services (7.4.3.3.) to downtown Hamilton. Other policies (2.2.1.2 and 3) emphasize the multi-use role of the Regional Centre and encourage a wide range of commercial/office uses to locate in the downtown area.

INTRODUCTION: (continued)

Therefore, the emphasis on accommodating service sector uses in Industrial-Business Parks may have to be tempered by retaining some control on the type, extent and location of commercial or non-industrial uses within the parks. This limitation is supported by approved Regional policies regarding Regional and Sub-Regional Centres.

The recognized shift to the service sector of the economy, identified in the Economic Strategy is being realized in increased pressures to develop industrial lands in the parks for non-industrial (usually retail commercial requiring display areas) uses. The Hamilton Mountain Industrial-Business Park is a good example, where many of the recent land sales and rezonings in the park have been for commercial or non-industrial uses. The problem is that these types of land uses can be accommodated on appropriately designated lands elsewhere in the municipality so that prime industrial lands can be reserved for industrial development.

It would appear that service sector uses are desirable and represent a significant growth factor in the future for the Region's Industrial-Business Parks but some control may have to be maintained to protect the indiscriminate depletion of the available industrial land inventory. In order to obtain an increased insight into the issue of service/retail uses in the I.B.P.'s a brief survey and analysis of the existing operations in the parks was undertaken.

STUDY OUTLINE:

In the fall of 1987 a survey (both through questionnaire and telephone contacts) was conducted involving 114 individual contacts with existing industrial or commercial/industrial operations in the Industrial-Business Parks. A total of 109 responses were obtained for a response rate of 95.6%. The questionnaire used in the survey is attached. In the case of Stoney Creek a telephone survey was utilized because the City of Stoney Creek recently conducted an industrial survey by distributing written questionnaires and it was felt that a second survey in such a short time period would be inappropriate.

The information requested through the survey involved the type of industrial use, the firm's position concerning a greater range of commercial use being permitted in the Industrial-Business Parks with reasons and preference for location of such uses. The significant response rate and the details contained in the responses provide an excellent overview as to the perspectives of the existing operators in the I.B.P.'s and substantial justification for the conclusion and recommendation section of this report.

STUDY RESULTS:

Due to the varying extent of development in the Region's industrial parks it was impossible to obtain uniform coverage of all the parks. The responses were spread over the four I.B.P.'s as follows:

Stoney Creek	- 60
Hamilton Mountain	- 39
Ancaster (Duff's Corner)	- 8
Flamborough	- 2

Since there has been no industrial development in the other I.B.P.'s (Glanbrook, Allarco, and Glanbrook Airport) there were no questionnaires distributed to these areas.

The results from the survey indicate an overwhelming support from existing firms (a total of 91) for a wider range of commercial uses (including offices, restaurants, financial institutions, hotels, retail stores, recreational facilities, lumber yards and other retail commercial uses). The reasons for this support in a ranking based on the number of times mentioned in responses, were: (percentages in brackets)

- o convenience for employees (39%)
- o accessibility to commercial goods and services for the industrial uses (36%)
- o compatible with industrial uses (25%)

It is significant to note that a number of respondents identified a definite need for hotel accommodations within the Industrial-Business Parks.

In contrast to the support for more non-industrial uses only 13 responses were opposed to broadening the range of uses. Their reasons included: (percentages in brackets)

- o potential land use conflicts (41%)
- o traffic problems (33%)
- o parking overflow from commercial uses (26%)

The final question in the survey was an attempt to obtain specific comments regarding the location of these uses within the I.B.P.'s. The detailed responses from those firms supporting new uses included the following locational comments: (percentages in brackets)

- o no preferences (64%)
- o along arterial road frontage (20%)
- o concentrated in specific areas (10%)
- o at the intersections of major roads (6%)

CONCLUSION:

The survey results clearly indicate the broad-based support among existing industrial and industrial/commercial operations in the I.B.P.'s for a wider range of "commercial" uses to augment the established and future industrial uses in these industrial areas. Uses such as hotels, banks, restaurants, fitness-racquet clubs, retail and service commercial are considered to be beneficial in industrial areas by providing goods and services to the industrial operations and their employees.

Some of these uses such as retail/service commercial operations and offices which support the primary industrial activities are already permitted in the I.B.P.'s. However, retail/warehousing uses which have similar site and building requirements as industrial firms and are generally land extensive in nature are not currently permitted. For example, the Stoney Creek Furniture store and warehouse on Lewis Road in Stoney Creek required an amendment to the Hamilton-Wentworth Official Plan. Other similar operations such as Leon's, Brick and various showroom/warehouse enterprises wanting to locate in the I.B.P.'s would also require amendments. These types of uses do not interfere with the industrial developments and should be considered for inclusion in the permitted uses without the need of Regional official plan amendments.

Further justification for expanding the permitted uses is that policy 2.3.1 in the Hamilton-Wentworth Official Plan which applies only to the Clappison's Corners I.B.P., already provides greater flexibility in the range of service uses allowed in this industrial park. In order to obtain policy consistency it seems appropriate that this flexibility be applied uniformly across the Region by revising the industrial policies affecting the remaining I.B.P.'s.

However, to subject the I.B.P.'s to widespread commercial development anywhere within the park would be inappropriate, given that commercially designated land is available throughout the Region to accommodate future demands for commercial development. There are certain commercial uses (ie. grocery stores, department stores, car dealerships and other uses which serve the general public) which are not appropriate in Industrial-Business Parks. Therefore, while the range of uses permitted in the I.B.P.'s should be expanded, certain limitations on the type location and amount of such uses are essential to ensure that they do not interfere with the individual industrial operations and that the overall viability and integrity of the Industrial-Business Park is not compromised.

While lists of permitted used and the establishment of location criteria are two effective limitations, is is desirable to set an upper limit on the amount of commercial development in the parks. This figure shoud apply only to retail commercial uses and should be in the order of approximately 10% of the gross area of the park to ensure that these uses do not conflict with the primary function of the I.B.P.'s.

RECOMMENDATION:

Increased development pressures for various types of non-industrial uses to locate in I.B.P.'s and the survey results identifying substantial support for the concept of expanding the range of commercial uses in the I.B.P.'s indicates that policy changes should be considered. To prevent the indiscriminate development of limited industrial lands for commercial uses some restrictions on type and location of these uses should be incorporated into any policy revisions.

RECOMMENDATION: (continued)

Therefore it is suggested that Section 2.3 (Industrial-Business Parks) of the Hamilton-Wentworth Official Plan be amended as follows:

- o Policy 2.3.1 on Page 7 which presently contains two sections be replaced with a single policy 2.3.1 as follows:

"2.3.1 To designate Industrial-Business Parks shown on Map No. 1 to accommodate primarily manufacturing, construction, wholesale establishments and truck terminals.

Ancillary and service type uses, including limited office development, land extensive commercial uses with warehouse/display areas requiring site and building specifications similar to industrial uses (excluding operations such as department stores, grocery stores and automobile dealerships), hotels, banks, restaurants and recreational facilities, which will not interfere or conflict with the primary activities may be permitted.

Grouped commercial uses of a combined retail/service nature that will not jeopardize established and planned retail areas fulfilling community level functions may also be permitted. Such uses in total shall not exceed 10% of the gross area of the individual Industrial-Business Park.

Area Municipal Plans (with the exception of the East Mountain Industrial-Business Park, as identified in the Official Plan of the City of Hamilton) shall contain detailed policies identifying the amount, type and locational criteria for these permitted ancillary/service and commercial uses. Generally such uses shall be directed to locations along major roads or in concentrated specifically planned and designated areas within the Industrial-Business Parks.

In addition, areas designated General Commercial in Area Municipal Official Plans and existing at the time of passage of Amendment No. 35 are recognized and the uses permitted therein may also be considered as permitted uses within the context of this policy, only for those designated areas.

This proposed revision should be incorporated into a general text amendment to the Hamilton-Wentworth Official Plan.

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY LAW R89 -044

Being a By-law to amend Bylaw No R82-076 which
established the Wentworth Library Board and to Appoint Members

WHEREAS on March 7, 1989, Council approved item no. 3 of Report No. 3-89 of the Legislation and Reception Committee to appoint members of the Wentworth Library Board for a term expiring November 30, 1991.

NOW THEREFORE the Council of the Regional Municipality of Hamilton-Wentworth ENACTS as follows:

1. That section 3 of Bylaw No. R82-076 as amended be deleted and the following substituted therefor:

3. The following persons are hereby appointed to the Wentworth Library Board for a term expiring November 30th, 1991.

- | | | |
|----|----------------------|----------------|
| a) | Councillor A. Sloat | (Ancaster) |
| b) | Ms. Jean Jones | (Ancaster) |
| c) | Councillor C.J. Robb | (Flamborough) |
| d) | Ms. Margaret Vance | (Flamborough) |
| e) | Councillor H. Bell | (Glanbrook) |
| f) | Mrs. Kay Hine | (Glanbrook) |
| g) | Councillor Ann Bain | (Stoney Creek) |
| h) | Marie Robbins | (Stoney Creek) |

2. That Amending By-law No. R86-043 is hereby repealed.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED THIS

21st day of March, 1989.

Approved
as to form

U.K.
Regional
Solicitor

[Signature]
Chairman

[Signature]
Clerk

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-045

To confirm the proceedings of the Council at its meeting held
on the following date:

THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS
FOLLOWS:

1. The Action of the Council at its meeting held on the 21st day of March, 1989, in respect of each recommendation contained in the Reports of its Committees.

<u>NAME</u>	<u>NO.</u>	
Accommodation Committee Report	02-89	
Economic Development and Planning Committee Report	05-89	as amended
Engineering Services Committee Report	05-89	as amended
Finance and Personnel Committee Report	05-89	
Health and Social Services Committee Report	05-89	as amended
Transportation Services Committee Report	03-89	as amended

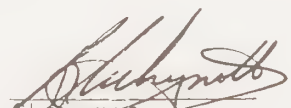
and Regional Officials

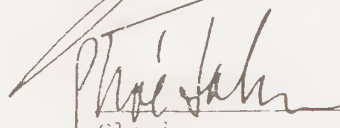
<u>NAME</u>	<u>NO.</u>
Chairman's Report	05-89

considered by Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the Council at its said meetings, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Chairman of the Council and the proper officials of the Regional Municipality are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and, except where otherwise provided, the Chairman, the Clerk and the Treasurer are hereby directed to execute all documents necessary in that behalf, and the Clerk is hereby authorized and directed to affix the Corporate Seal of the Regional Corporation to all such documents.

READ A FIRST, SECOND AND THIRD TIME and Finally Passed and Enacted this 21st, day of March, 1989.


Chairman


Clerk

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89- 046

To exempt the occupiers of certain shops from the provisions
of the Regional Store Closing By-law R79-202.

WHEREAS upon application of certain shops outlined on Schedule "A" to this By-law, it has been recommended by the Regional Legislation and Reception Committee that such shops be exempt from the store closing hours on the dates and at the times indicated.

NOW THEREFORE the Council of the Regional Municipality of Hamilton-Wentworth ENACTS AS FOLLOWS:

1. THAT the occupiers of the shops named on Schedule "A" attached to this by-law are hereby exempt from the closing provisions of Section 2(1) (b) of Regional By-law No. R79-202 and may remain open for business on the dates and at the times indicated.
2. THAT all other provisions of Regional By-law No. R79-202 are to remain in full force and effect for the shops described in Schedule "A" of this By-law.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED
this 4th day of April, 1989.

Chairman

Clerk

SCHEDULE "A"

TO BY-LAW NO. R89- 046

Shops referred to in By-law No. R89- and located at the respective locations.

THAT the following retail shop(s) in the area municipalities of Hamilton and Stoney Creek be exempted from Regional By-law No. R79-202 for the purpose of holding a special sale on the date(s) and at the time(s) indicated:

1. HAMILTON Friday, April 14, 1989
AND
Friday, April 21, 1989
9:00 p.m. to 11:59 p.m.

Robinson's/Ogilvy

18 James Street South
Hamilton, Ontario

2. STONEY CREEK EASTGATE SQUARE
75 Centennial Pkwy. N.
Stoney Creek, Ontario
Saturday, November 18, 1989
AND
Saturday, December 16, 1989
9:00 p.m. to 11:59 p.m.

D'ALLAIRDS
MARIPOSA
AU COTON
TAN JAY
LINDOR
FACTORS
SAN FRANCISCO
TOWN & COUNTRY
FAIRWEATHER
COTTON GINNY
TIP TOP TAILORS
JACK FRASER
THE CONNECTION
COCONUT JOE'S
PEOPLES JEWELLERS
WALTER'S JEWELLERS
FASHION IS
FACES
KINNEY
INGEBORG SHOES
FOOTLOCKER
COLES

PENNINGTON'S
JEAN MACHINE
FREEDOM
SMART SET
SPORTELE
SAN FRANCISCO BEACH WEAR
LADY FOOTLOCKER
SUZY SHIER
LIMITE
RANDY RIVER
ELK'S
BIG STEEL
NORTHERN REFLECTIONS
GIGGLES JR.
BIRKS
MAPPINS
FLASH
NATURALIZER
MAHER/SKOR
BELINDA & BROTHER
W.H. SMITH
KEY MAN

STONE CREEK

Eastgate Square Cont'd
 75 Centennial Pkwy N.
 Stoney Creek, Ontario
 Saturday, November 18, 1989
 AND
 Saturday, December 16, 1989
9:00 p.m. to 11:59 p.m.

TROPICARIUM
 WILLSON'S STATIONERS
 HOUSE OF KNIVES
 WINE RACK
 UNITED CIGAR STORE
 MUSIC WORLD
 JAPAN CAMERA
 SAM THE RECORD MAN
 EATON'S
 WOOLCO
 RADIO SHACK
 JUNORS
 BRASS 'N LITE
 TONY & CARMEN
 SHORNEY'S OPTICAL
 CAVALIER
 INFO PLACE
 A & W
 ZACK'S YOGURT
 MOVIOLA FAST AKES
 TIM HORTON DONUTS
 ORANGE JULIUS
 LAURA SECORD
 SECOND CUP
 COOKIE BY GEORGE

SIGNATURE
 CONSUMERS
 HALLMARK
 BULK BARN
 COLLEGIATE SPORTS
 DIRECT FILM
 BLACK'S CAMERA
 FUN & GAMES
 ROBINSON'S
 MAJESTIC SOUND
 ST. CLAIR PAINTS
 GRANADA T.V.
 BELL PHONE CENTRE
 BOOTS DRUG STORE
 MARLIN TRAVEL
 SUPERIOR SHOE REPAIR
 TREATS BAKERY
 MRS. VANELLI'S
 MOVIOLA CAFE
 MANCHU WOK
 MADE IN JAPAN
 MANHATTAN FRIES
 VOGEL
 SWEET ROSIE'S COOKIES
 MARKS & SPENCER

3. HAMILTON

OTTAWA STREET B.I A.
329 Ottawa Street North
Hamilton, Ontario
Friday, April 14, 1989
9:00 p.m. to 11:59 p.m.

A & B Catering Inc.
A-1 Building Cleaning Inc.
ABC Variety
Agresta's Italian Kitchen Inc.
Amato Shoe Repair
Anton Video Productions
Antonette's Shop
Artistic Drapery Ltd.
Atlas Travel & Souvenir
Bargain Harolds Discount Ltd.
Bell'Arte Camera Ltd.
Ben Barnes Furs Ltd.
Beneficial Canada Inc.
Bertha's Beauty Centre
Bill's Fish Market
Bosna Travel & Import
Christine Giavedeoni-Dressmaker
Consumers Textiles Ltd.
Country Style Butcher Shop
Court Jester Materials
Crafts & Notions
Crown Grocery & Variety
Crystal Clear
Custom Tailoring by Tigani
Davies Coins, Pawnbrokers & Second Hand Store
Discount Fabric Mart
Don's Shoe Renew
Eastern Village Restaurant
Electro-Mart Sales
Elegant Ladies Fashions
Elite Operations Canada
Encore TV & Video
European Textiles
Fabricland
Firchuks Textiles
Fred Gregory Florist
Gardner & Son Lawnmowers
George's Barber Shop
Giant Tiger
Globus Travel Agency
Greta's Flair

HAMILTON

OTTAWA STREET B.I A. Cont'd
329 Ottawa Street North
Hamilton, Ontario
Friday, April 14, 1989
9:00 p.m. to 11:59 p.m.

Hamilton Beauty Supply Co.
Hamilton Hobby Specialties
Hamilton Jewellery & Gifts
Hamilton Redbird Professional Baseball Club
Hamilton Vacuum Supply Co. Ltd.
Hathaways
Heirloom Portraits
Home Tile & Plumbing Supplies Ltd.
Howards Flower Shoppe Inc.
Inter Light Designs
Jakobson's Beauty Salon
Janome Sewing Centre
Jet & Cruise Travel Ltd.
Joan's Trim & Laces
Jockey Club Tavern
Joosten Meat Delicatessen
Joy Inn Restaurant
Kents Dominion Hardware
Knitters Yarn Outlet
Lakeview Telephone Co.
Liberty House Furniture Ltd.
Liza's Unisex Haircutting Salon
Mad Marvins Clearance Centre
Maggie's Ladies Wear
Manji Signs
Marina's Fabrics
Marjan Meat & Delicatessen
Mary's Flower Shop
Maxam
Mike's Submarines
Montreal Textile Bargain Store Ltd.
Montreal Textile Fabric Mart
Nadel Furs
New Tux Billiards
Ottawa Book & Surplus
Ottawa Gift Centre
Ottawa Key Shop
Ottawa Textile Discount Centre
Ottawa-Barton IDA Pharmacy
Patterson's Furniture & Interiors Ltd.
Punjab Food Mart

HAMILTON

OTTAWA STREET B.I A. Cont'd
329 Ottawa Street North
Hamilton, Ontario
Friday, April 14, 1989
9:00 p.m. to 11:59 p.m.

Quality Bakery Ltd.
Queens Tavern
R & L Pro Sports
Safety Supply Canada Ltd.
South Sea Restaurant
Speciality Hardware
Stardust Records
Surplus Plus
The Back Shop
The Hair Gallery
The Lazy Baker
The Textile Centre Inc.
Tim Horton Donuts
Tony Kybartas Meat & Catering
Tony's Ottawa Service Garage Ltd.
Top's Restaurant
Tot and Teen Bootery
Travel Plus Ltd.
Trends
Twins Floor & Wall Coverings
United Gas
Walter's Watchmaker & Jeweller
Ward's Restaurant
Wave 'N Save
Wentworth Paints
Woodhouse Furniture
Woods Unpainted Furniture
Zorror Cleaners Ltd.
Zvonko's Fantastic Foods Ltd.

HAMILTON

Friday, May 12, 1989
9:00 p.m to 11:59 p.m.

Eaton's

2779 Barton St. East
Hamilton, Ontario

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTHBY-LAW NO. R89-047TO AMEND BY-LAW NO. R89-038 TO REGULATE TRAFFIC

WHEREAS Section 36(1) of the Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980 CH. 437 as amended, confers upon the Regional Municipality of Hamilton-Wentworth, with respect to the roads in the Regional Road System and the regulation of traffic thereon, all the powers conferred upon the council or corporation of a city by the Municipal Act, the Highway Traffic Act and any other Act with respect to highways; and

WHEREAS Section 210(117) of the Municipal Act, R.S.O. 1980, Chapter 302, as amended, confers upon the councils of the local municipalities the power to pass by-laws for regulating traffic on highways subject to the Highway Traffic Act; and

WHEREAS Section 315(7) of the said Municipal Act confers upon the councils of all municipalities the power to pass by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic; and

WHEREAS it is deemed advisable that the regulations pertaining to traffic on certain highways under the jurisdiction of the Regional Municipality of Hamilton-Wentworth be amended;

NOW THEREFORE, THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. Schedule 17 (Parking Meter Locations) of By-law R89-038 to regulate traffic passed and enacted on the 21st day of March 1989 is hereby amended by deleting from Section 1 (Three Hour Limit) the following item, namely:-

"Wellington West Barton to Copeland".

and by adding thereto the following item, namely:-

"Wellington East Barton to 395 feet northerly".

2. Schedule 20 (No Parking Areas) of the said By-law is hereby amended by adding to Section A (No Parking Anytime) the following items, namely:-

"Wellington West Barton to Birge

Wellington East commencing 163 feet north of Barton to a point 20 feet northerly therefrom".

3. Schedule 23 (No Stopping Anytime) of the said By-law is hereby amended by deleting from Section A (No Stopping Anytime) the following item, namely:-

"Wellington East Barton to Simcoe"

and by adding thereto the following item, namely:-

"Wellington East commencing 395 feet north of Barton to Simcoe".

1. In all other respects, By-law R89-038 and Schedules thereto are hereby confirmed, unchanged.

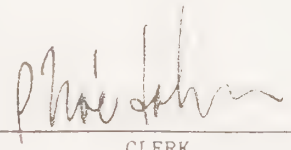
2. This By-law shall come into force and take effect on the date of its passing and enactment.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED

this 4th day of April 1989


CHAIRMAN

proved
as to form
LOE
Regional
Clerk


CLERK

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-048

BEING A BY-LAW TO AMEND BY-LAW NO. R79-122

WHEREAS Regional Council did approve of Item 16 of Report No. 03-89 of the Engineering Services Committee on February 21, 1989 to authorize the Chairman, Regional Clerk and Commissioner of Finance to execute Service Agreements arising out of consents granted by the Land Division Committee;

NOW THEREFORE, the Council of the Regional Municipality of Hamilton-Wentworth enacts as follows:

1. That the preamble of By-law No. R79-122 be amended by adding the following paragraph:

AND WHEREAS it is advisable that all Service Agreements required pursuant to the aforesaid terms and conditions of the Committee, be executed on the terms hereinafter set forth.

2. That Section 1a be added as follows:

1a. That wherever the Land Division Committee of the Region imposes as a condition of approval to an application before it, that a Service Agreement be entered into between the applicant and the Region, the Chairman, Regional Clerk and Commissioner of Finance are authorized to execute the Service Agreement providing it does not involve any Regional funds for the construction of the services.

3. In all other respects the contents of Regional By-law R79-122 are hereby confirmed unchanged.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED THIS 4th DAY OF April 1989


CHAIRMAN


CLERK

Approved
as to form

Regional
Solicitor

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
BY-LAW NO. R89-049

BEING A BY-LAW TO REPEAL
CERTAIN SECTIONS AND SCHEDULES OF
BY-LAW NO. R79-172, AS AMENDED, AND TO REGULATE THE
DISCHARGE OF WATER AND WASTES INTO THE
SANITARY, COMBINED, AND STORM SEWER SYSTEMS OF THE
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

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WHEREAS it is provided by Section 97 of The Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, Chapter 437, as amended:

- (a) that the Regional Municipality has on and after January 1, 1975, the sole responsibility:
 - (i) for the collection and disposal of all sewage in the Regional Area, and
 - (ii) for the establishment, construction, maintenance, operation and financing of the collection and disposal of such sewage,

except as provided for in sub-section (12) of Section 97 of The Regional Municipality of Hamilton-Wentworth Act, and

- (b) that all of the provisions of any general or special Act relating to the collection and disposal of sewage and the financing thereof by a municipal corporation apply mutatis mutandis to the Regional Municipality, and

WHEREAS pursuant to sub-section (13) of Section 97 of The Regional Municipality of Hamilton-Wentworth Act, the Regional Municipality may undertake, by By-law, the responsibility for storm sewers within any Area Municipality, and

WHEREAS the Regional Municipality by the enactment of By-law No. 9-73 assumed responsibility for all storm sewers within the City of Hamilton, and

WHEREAS pursuant to paragraph 147 of sub-section (1) of Section 210 of The Municipal Act, R.S.O. 1980, Chapter 302, as amended, which is made applicable to the Regional Municipality by virtue of sub-section (1) of Section 97 of The Regional Municipality of Hamilton-Wentworth Act, the Regional Municipality is empowered to prohibit, regulate and inspect the discharge of any gaseous, liquid or solid matter into land drainage works, private branch drains and connections to any sewer, sewer system or sewage works for the carrying away of domestic sewage or industrial wastes, or both, whether connected to a treatment works or not, and

WHEREAS pursuant to paragraph 77 of sub-section (1) of Section 210 of The Municipal Act, the Regional Municipality may pass By-laws for making any other regulations for sewage or drainage that may be considered necessary for sanitary purposes, and

WHEREAS Part XIX of The Municipal Act applies with necessary modifications to the Regional Municipality by virtue of Section 133 of The Regional Municipality of Hamilton-Wentworth Act.

NOW THEREFORE, THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

SECTION 1

DEFINITIONS

1. In this By-law:

(a) "acute hazardous waste chemical" means a material which is an acute hazardous waste chemical within the meaning of Ontario Regulation 309 made under the Environmental Protection Act, R.S.O. 1980, Chapter 141 as amended;

(b) "Area Municipality" means any one or all of the following:

- (i) The Corporation of the City of Hamilton;
- (ii) The Corporation of the Town of Dundas;
- (iii) The Corporation of the City of Stoney Creek;
- (iv) The Corporation of the Town of Ancaster;
- (v) The Corporation of the Township of Glanbrook;
- (vi) The Corporation of the Town of Flamborough;

as constituted by Section 2 of The Regional Municipality of Hamilton-Wentworth Act;

(c) "authorized representative of the owner or operator" means:

- (i) A principal executive officer of at least the level of vice president, if the owner or operator is a corporation; or
- (ii) A general partner or proprietor if the owner or operator is a partnership or proprietorship, respectively; or
- (iii) A duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the sewage discharge originates;

- (d) "biochemical oxygen demand" means carbonaceous oxygen demand (biochemical) as determined by Method 507 in Standard Methods when an inhibiting chemical has been added to prevent ammonia oxidation;
- (e) "blowdown" means the discharge of recirculating noncontact cooling water for the purpose of discharging materials contained in the water, the further build-up of which would cause concentrations in amounts exceeding limits established by best engineering practices;
- (f) "combined sewer" means a sewer intended to function simultaneously as a storm sewer and a sanitary sewer;
- (g) "commercial waste chemical" means a material which is a commercial waste chemical within the meaning of Ontario Regulation 309 made under the Environmental Protection Act (Ontario);
- (h) "Commissioner of Engineering" means the Commissioner of Engineering for the Regional Municipality or the person duly authorized to act in his stead;
- (i) "Commissioner of Finance" means the Commissioner of Finance for the Regional Municipality or such person as is duly authorized to act in his stead;
- (j) "composite sample" means a sample which is composed of a series of grab samples taken at intervals during the sampling period;
- (k) "cyanide (total)" means cyanide as determined by Methods 412B plus one of Method 412C or 412D in Standard Methods;
- (l) "de minimis dose" means a dose of radiation to an individual of .05 millisieverts per year;
- (m) "de minimis waste" means any waste radioactive material that will not result in a dose of radiation exceeding the de minimis dose regardless of the quantity of the material or how it is used or managed;
- (n) "flow proportional composite sampling" means sampling with a piece of equipment that is capable of operating continuously and automatically adjusting, at time intervals not exceeding thirty minutes, either the volume of effluent sub-samples or the time interval between the collection of sub-samples, to the rate of flow in the effluent stream;

- (o) "fuels" includes (i) any ignitable liquid intended for use as a fuel with a flash point less than 61 degrees Celsius as determined by one of the methods in Ontario Regulation 309 made under the Environmental Protection Act, R.S.O. 1980, Chapter 141 as amended, and (ii) gasoline, naphtha, diesel fuel or fuel oil;
- (p) "grab sample" is an aliquot of the flow being sampled taken at one particular time and place;
- (q) "hailed sewage" means waste removed from a cesspool, a septic tank system, a privy vault or privy pit, a chemical toilet, a portable toilet, a sewage holding tank or any other sewage system of a type regulated under Part VII of the Environmental Protection Act, R.S.O. 1980, Chapter 141 as amended;
- (r) "hazardous industrial waste" means a material which is a hazardous industrial waste within the meaning of Ontario Regulation 309 made under the Environmental Protection Act, R.S.O. 1980, Chapter 141 as amended;
- (s) "hazardous waste chemical" means a material which is a hazardous waste chemical within the meaning of Ontario Regulation 309 made under the Environmental Protection Act, R.S.O. 1980, Chapter 141 as amended;
- (t) "ignitable waste" means a material which is an ignitable waste within the meaning of Ontario Regulation 309 made under the Environmental Protection Act, R.S.O. 1980, Chapter 141 as amended;
- (u) "industrial" shall mean of or pertaining to industry, manufacturing, commerce, trade, business, or institutions as distinguished from domestic or residential;
- (v) "industrial process area" means any industrial building, property or land area which during manufacturing, processing or storage comes into direct contact with any raw material, intermediate product, finished product, byproduct, or waste product;
- (w) "industrial wastes" means all water carried wastes and wastewaters of the Regional Area excluding domestic wastewater and uncontaminated water, and shall include all wastewater from any producing, manufacturing; processing, institutional, commercial, agricultural or other operation where the wastewater discharged includes significant quantities of wastes of non-human origin;

- (x) "joined sanitary-foundation drain sewer" means a sewer for the collection and transmission of domestic wastes and groundwater from a foundation drain;
- (y) "Kjeldahl Nitrogen" means organic nitrogen as determined by one of Method 420A or 420B in Standard Methods;
- (z) "matter" includes any solid, liquid or gas;
- (aa) "noncontact cooling water" means water which is used to reduce temperature for the purpose of cooling and which does not come into direct contact with any raw material, intermediate product other than heat, or finished product;
- (bb) "once-through cooling water" means noncontact cooling water that has been circulated once through the cooling device;
- (cc) "owner" or "operator" means the owner or operator of any facility or activity subject to the provisions of this by-law;
- (dd) "pathological waste" means a material which is a pathological waste within the meaning of Ontario Regulation 309 made under the Environmental Protection Act, R.S.O. 1980, Chapter 141 as amended, or any material which may be designated in writing by the Chief Medical Officer of Health (Ontario);
- (ee) "PCB" means any monochlorinated or poly-chlorinated biphenyl or any mixture of these or mixture that contains one or more of them;
- (ff) "PCB waste" means a PCB waste within the meaning of Ontario Regulation 148/86 made under the Environmental Protection Act, R.S.O. 1980, Chapter 141 as amended;
- (gg) "person" includes an individual, association, partnership, corporation, municipality, Regional Municipality, Provincial or Federal agency, or an agent or employee thereof;
- (hh) "pesticides" means a pesticide regulated under the Pesticides Act, R.S.O. 1980, Chapter 376 as amended;
- (ii) "pH" means the logarithm to the base 10 of the reciprocal of the concentration of hydrogen ions in grams per litre of solution;

- (jj) "phenolic compounds" means those derivatives of aromatic hydrocarbons which have a hydroxyl group directly attached to the ring as determined by one of Method 510B or 510C in Standard Methods;
- (kk) "phosphorus" means total phosphorus as determined by both Method 424C plus one of Method 424D, 424E, 424F or 424G in Standard Methods;
- (ll) "potable water" means water processed by the Regional Municipality for human consumption;
- (mm) "reactive waste" means a material which is a reactive waste within the meaning of Ontario Regulation 309 made under the Environmental Protection Act, R.S.O. 1980, Chapter 141 as amended;
- (nn) "Regional Municipality" means The Regional Municipality of Hamilton-Wentworth or its designated representative;
- (oo) "sanitary sewer" means a sewer for the collection and transmission of domestic, commercial, institutional and industrial sewage or any combination thereof;
- (pp) "severely toxic material" means any material listed in Schedule 3 of Ontario Regulation 309 made under the Environmental Protection Act, R.S.O. 1980, Chapter 141 as amended;
- (qq) "sewage" means any liquid waste containing animal, vegetable or mineral matter in solution or in suspension, except uncontaminated water;
- (rr) "sewage works" means any works for the collection, transmission, treatment or disposal of sewage, or any part of such works;
- (ss) "SIC code" means Standard Industrial Classification Code contained in either the Standard Industrial Classification Manual published by the Minister of Supply and Services Canada, 1980 (Canadian SIC) or the Standard Industrial Classification Manual published by the Executive Office of the President, Office of Management and Budget, 1972 (U.S. SIC);
- (tt) "solvent extractable matter of animal or vegetable origin" means grease and oil as determined by one of Methods 503A, 503B, 503C, or 503D in Standard Methods;

- (uu) "solvent extractable matter of mineral or synthetic origin" means grease and oil as determined by Method 503E in Standard Methods;
- (vv) "Standard Methods" means a procedure set out in Standard Methods for the Examination of Water and Wastewater published jointly by the American Public Health Association, American Water Works Association and Water Pollution Control Federation, current at the date of testing, or a procedure published by the Ontario Ministry of the Environment as a standard method or the equivalent of a standard method;
- (ww) "storm sewer" means a sewer for the collection and transmission of uncontaminated water, stormwater, drainage from land or from a watercourse or any combination thereof;
- (xx) "stormwater" means water from rainfall or other natural precipitation or from the melting of snow or ice;
- (yy) "suspended solids" means solid matter in or on a liquid which matter is removable by filtering and dried at 103-105 degrees C as determined by Method 209C in Standard Methods;
- (zz) "uncontaminated water" means water to which no matter has been added as a consequence of its use, or to modify its use, by any person;
- (aaa) "waste disposal site leachate" means leachate from any waste disposal site;
- (bbb) "waste radioactive materials" means any waste material exhibiting the property of spontaneous disintegration of atomic nuclei usually with the emission of penetrating radiation or particles.

SECTION 2

APPLICATION OF BY-LAW

- 2(1) Nothing in this By-law is to be construed as purporting to permit anything which by the provision of any applicable Provincial Act or Regulation is prohibited, and where there is a conflict in this respect between the provisions of the applicable Act or Regulation and the provisions of this By-law, the provisions of the applicable Act or Regulation are to prevail.

- (2) The provisions of this By-law related to storm sewers:
- (a) are applicable only to storm sewers located in the Area Municipality of the City of Hamilton and to storm sewers outside the City of Hamilton but within the Regional Area and under Regional Roads;
 - (b) are applicable only to storm sewers in the whole or any part of any other Area Municipality in the Regional Area when the Regional Municipality enacts a By-law assuming responsibility for storm sewers in the whole or any part of such Area Municipality.
- (3) The provisions of this By-law related to joined sanitary-foundation drain sewers are applicable only to those joined sanitary-foundation drain sewers within the land area described in Schedule A to this By-law and being located in the Area Municipality of the Town of Dundas.

SECTION 3

ADMINISTRATION AND ENFORCEMENT

- 3(1) The Commissioner of Engineering is responsible for the administration and enforcement of this By-law in all areas where the Regional Municipality has jurisdiction and control over sewage works.
- (2) The Commissioner of Finance is responsible for billing and collecting all fees and charges fixed hereunder except as otherwise provided under this By-law.
- (3) Where the Regional Municipality has not passed a By-law assuming responsibility for storm drainage in the whole or any part of an Area Municipality and the Area Municipality has passed the necessary By-law adopting the provisions of this By-law, as described in subsection (2) of Section 2, then the Area Municipality is responsible for the administration and enforcement of the provisions of this By-law dealing with storm sewers.
- (4) Schedules A to J inclusive, attached to this By-law form part of this By-law.

SECTION 4

DISCHARGES TO SANITARY SEWERS DISCHARGES TO COMBINED SEWERS

- 4(1) No person shall discharge or deposit or cause or permit the discharge or deposit of matter of a kind listed below into or in land drainage works, private branch drains or connections to any sanitary sewer or combined sewer:
1. matter of any type or at any temperature or in any quantity which may be or may become a health or safety hazard to a sewage works employee, or which may be or may become harmful to a sewage works, or which may cause the sewage works effluent to contravene any requirement by or under the Ontario Water Resources Act, R.S.O. 1980, Chapter 361 as amended or the Environmental Protection Act, R.S.O. 1980, Chapter 141 as amended, or which may cause the sludge from sewage works to fail to meet the criteria relating to contaminants for spreading the sludge on agricultural lands under the current Ontario's Guidelines for Sewage Sludge Utilization on Agricultural Lands unless the person has been advised in writing by the operator of the sewage treatment works that the sludge from the sewage treatment works will never be used on agricultural lands, or which may interfere with the proper operation of a sewage works, or which may impair or interfere with any sewage treatment process, or which is or may result in a hazard to any person, animal, property or vegetation and;
 2. without limiting the generality of the foregoing, any of the following:
 - (a) Solid or viscous substances in quantities or of such size as to be capable of causing obstruction to the flow in a sewer, including but not limited to ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics; wood unground garbage, animal guts or tissues, paunch manure, and whole blood.
 - (b) Sewage that may cause an offensive odour to emanate from a sewage works, and without limiting the generality of the foregoing, sewage containing hydrogen sulphide, carbon disulfide, other reduced sulphur compounds, amines or ammonia in such quantity that may cause an offensive odour.
 - (c) Except in the case of discharge into a combined sewer, stormwater, water from drainage of roofs or land, water from a watercourse or uncontaminated water.

- (d) Water that has originated from a source separate from the potable water distribution system of the Regional Municipality.
- (e) Sewage or uncontaminated water at a temperature greater than 65 degrees Celsius.
- (f) Sewage having a pH less than 5.5 or greater than 9.5.
- (g) Sewage containing more than 15 milligrams per litre of solvent extractable matter of mineral or synthetic origin.
- (h) Sewage containing more than 150 milligrams per litre of solvent extractable matter of animal or vegetable origin.
- (i) Sewage in which the biochemical oxygen demand exceeds 300 milligrams per litre.
- (j) Sewage containing more than 350 milligrams per litre of suspended solids.
- (k) Sewage containing more than 10 milligrams per litre of phosphorus.
- (l) Sewage containing more than 100 milligrams per litre of Kjeldahl nitrogen.
- (m) Sewage containing more than 1 milligram per litre of phenolic compounds.
- (n) Sewage which consists of two or more separate liquid layers.
- (o) Sewage containing dyes or colouring material which pass through a sewage works and discolour the sewage works effluent.
- (p) Sewage containing any of the following in excess of the indicated concentrations:

1500 milligrams/litre

Chlorides expressed as Cl
Sulphates expressed as SO₄

50 milligrams/litre

Aluminum expressed as Al
Iron expressed as Fe

10 milligrams/litre

Fluorides expressed as F

5 milligrams/litre -

Antimony expressed as Sb
Bismuth expressed as Bi
Chromium expressed as Cr
Cobalt expressed as Co
Lead expressed as Pb
Manganese expressed as Mn
Molybdenum expressed as Mo
Selenium expressed as Se
Silver expressed as Ag
Tin expressed as Sn
Titanium expressed as Ti
Vanadium expressed as V

3 milligrams/litre

Copper expressed as Cu
Nickel expressed as Ni
Zinc expressed as Zn

2 milligrams/litre

Cyanide (total) expressed as CN

1 milligram/litre

Arsenic expressed as As
Cadmium expressed as Cd

0.1 milligrams/litre

Mercury expressed as Hg

- (q) The following materials or sewage containing any of the following in any amount:

Fuels
PCBs
Pesticides
Severely Toxic Materials
Waste Radioactive Materials

- (r) The following materials or sewage containing any of the following in any amount:

Hauled Sewage
Waste Disposal Site Leachate

- (s) The following hazardous wastes in any amount:

Acute Hazardous Waste Chemicals
Hazardous Industrial Wastes
Hazardous Waste Chemicals
Ignitable Wastes
Pathological Waste
PCB Wastes
Reactive Wastes

- (2) In determining whether the limit with respect to any matter prescribed in subsection 4(1) is contravened, the volume of any water that has been added for the purpose of enabling the limit to be met and of any storm sewer discharges to a combined sewer shall be disregarded for the purposes of calculating whether the limit has been met so that compliance with the limit cannot be attained by dilution.
- (3) Subclauses 4(1) 2.(b) and 4(1) 2.(s) do not apply to prevent the discharge of human waste.
- (4) Subclause 4(1) 2.(d) does not apply to prevent the discharge of:
- (a) Water taken in an amount greater than 50,000 litres per day from a separate source when the owner or operator of the premises has a Permit To Take Water issued by the Ontario Ministry of the Environment and a copy of such permit has been provided to the Regional Municipality, or

- (b) Water taken in an amount less than 50,000 litres per day from a separate source when the owner or operator of the premises has provided the Regional Municipality with the following information:
 - (i) Address of premises where the water is being used;
 - (ii) Location of the water source; and
 - (iii) Amount of water being taken.
 - (c) In the event of (a) or (b), the discharge to the sanitary sewer or combined sewer shall be subject to an agreement with the Regional Municipality in the form attached as Schedule H to this By-law.
- (5) Subclause 4(1) 2.(q) does not apply to prevent the discharge of waste radioactive materials where they are being discharged in accordance with a licence from the Atomic Energy Control Board and a copy of the licence has been provided to the Regional Municipality or to the discharge of de minimis waste.
- (6) Subclause 4(1) 2.(q) does not apply to prevent the discharge of PCBs when:
- (a) the owner or operator of the premises has a certificate of approval relating to the premises from the Ontario Ministry of the Environment which expressly allows the discharge or written approval from the Director of the Ontario Ministry of Environment which expressly authorizes the discharge from the premises;
 - (b) the owner or operator of the premises has written approval from the Regional Municipality which expressly authorizes the discharge from the premises;
 - (c) the discharge contains a concentration of less than 5 micrograms per litre of PCBs; and
 - (d) a copy of the certificate of approval or written authorization referred to in clause (a) has been provided to the Regional Municipality.
- (7) Subclause 4(1) 2.(r) does not apply to prevent the discharge of hauled sewage when:
- (a) the carrier of the hauled sewage is a waste transportation system operating under a licence issued under part VII of the Environmental Protection Act, R.S.O. 1980, Chapter 141 as amended;
 - (b) the carrier has a current annual permit from the Regional Municipality to discharge hauled sewage in the form set out as Schedule B to this By-law.

- (c) the discharge occurs only at the times and locations set out in Schedule C to this By-law;
 - (d) the carrier pays the fees as set forth in Schedule D to this By-law.
- (8) Subclause 4(1) 2.(r) does not apply to prevent the discharge of hauled sewage when:
- (a) the carrier of the hauled sewage is the holding tank of a recreational vehicle;
 - (b) the discharge occurs only at the Mountain Transfer Station at the approved times set out in Schedule C to this By-law; and
 - (c) the carrier pays the fee set forth in Schedule D to this By-law.
- (9) Subclause 4(1) 2.(r) does not apply to prevent the discharge of waste disposal site leachate when:
- (a) the waste disposal site leachate is being discharged pursuant to a certificate of approval or order relating to the premises under the Environmental Protection Act, R.S.O. 1980, Chapter 141 as amended, or the Ontario Water Resources Act, R.S.O. 1980, Chapter 361 as amended, which expressly allows the discharge; and
 - (b) the owner or operator of the premises has written approval from the Regional Municipality which expressly authorizes the discharge from the premises; and
 - (c) a copy of the certificate of approval or written authorization referred to in clause (a) has been provided to the Regional Municipality; or
 - (d) the waste disposal site leachate originates from a Regionally owned landfill site.
- (10) Subclause 4(1) 2.(s) does not apply to prevent the discharge of pathological waste that has been decontaminated prior to discharge when:
- (a) the owner or operator of the premises has a certificate of approval from the Ontario Ministry of the Environment which expressly allows the discharge or written approval from the Director of the Ontario Ministry of the Environment which expressly authorizes the discharge from the premises;

- (b) the owner or operator of the premises has written approval from the Regional Municipality which expressly authorizes the discharge from the premises; and
 - (c) a copy of the certificate of approval or written authorization referred to in clause (a) has been provided to the Regional Municipality.
- (11) No person shall discharge or allow the discharge, either directly or indirectly, into any joined sanitary-foundation sewer, of:
- (a) storm/water,
 - (b) surface water,
 - (c) groundwater, and
 - (d) roof run-off, and
 - (e) sub-surface drainage except foundation drains for single and two family residential buildings,
 - (f) uncontaminated cooling water or unpolluted industrial process water, and
 - (g) total quarter yearly sanitary sewage flows in excess of the total quarter yearly metered water consumption from the Regional Water Works System for the same period, except in the case of properties which are not connected to the Regional Water Works System and have no metered water consumption.
- (12) Section 4 does not apply to prevent the discharge of any hauled material for which a particular Regional Sewage Treatment Plant has the authority to receive and the Commissioner of Engineering has given written approval for said discharge.

SECTION 5

DISCHARGES TO STORM SEWERS

- 5(1) No person shall discharge or deposit or cause or permit the discharge or deposit of matter of a kind listed below into or in land drainage works, private branch drains or connections to any storm sewer:

1. matter of any type or at any temperature or in any quantity which may:
 - (a) interfere with the proper operation of a storm sewer;
 - (b) obstruct a storm sewer or the flow therein;
 - (c) result in a hazard to any person, animal, property or vegetation;
 - (d) impair the quality of the water in any well, lake, river, pond, spring, stream, reservoir or other water or watercourse; or
 - (e) result in the contravention of an approval, requirement, direction or other order under the Ontario Water Resources Act, R.S.O. 1980, Chapter 361 as amended, or the Environmental Protection Act, R.S.O. 1980, Chapter 141 as amended, with respect to the storm sewer or its discharge; and
2. without limiting the generality of the foregoing, any of the following:
 - (a) Water at a temperature greater than 65 degrees Celsius;
 - (b) Water having a pH less than 5.5 or greater than 9.5;
 - (c) Water containing more than 15 milligrams per litre of suspended solids;
 - (d) Water containing dyes or colouring material which discolour the water when diluted one (1) part dye and four (4) parts water;
 - (e) Water containing solvent extractable matter of animal or vegetable origin greater than 10 milligrams per litre or of mineral or synthetic origin which causes a visible film, sheen or discolouration on the water surface;
 - (f) Water containing any of the following in excess of the indicated concentrations:

3 milligrams/litre

Zinc expressed as Zn

1 milligram/litre

Chromium expressed as Cr

Lead expressed as Pb

Nickel expressed as Ni

Copper expressed as Cu

Cadmium expressed as Cd

0.02 milligrams/litre

Phenolic Compounds

2,400 per 100 millilitres

Fecal coliforms

(g) The following matter in any amount:

Sewage

Once-through cooling water

Blowdown

(h) The following materials in any amount:

Automotive or Machine Oils and Greases

Fuels

Paints and Organic Solvents

PCBs

Pesticides

Severely Toxic Materials

Waste Disposal Site Leachate

Waste Radioactive Materials

- (i) The following hazardous wastes in any amount:

Acute Hazardous Waste Chemicals
 Hazardous Industrial Wastes
 Hazardous Waste Chemicals
 Ignitable Wastes
 Pathological Wastes
 PCB Wastes
 Reactive Wastes

- 5(2) Subclause 5(1) 2.(g) does not apply to prevent the discharge of once-through cooling water or blowdown when:

- (a) the once-through cooling water or blowdown is being discharged pursuant to a certificate of approval or order relating to the premises under the Environmental Protection Act, R.S.O. 1980, Chapter 141 as amended, or the Ontario Water Resources Act, R.S.O. 1980, Chapter 361 as amended, which expressly allows the discharge;
- (b) the owner or operator of the premises has written approval from the Regional Municipality which expressly authorizes the discharge from the premises; and
- (c) a copy of the certificate of approval or order referred to in clause (a) has been provided to the Regional Municipality.

- 5(3) The provisions of Subclauses 5(1) 2.(c), (d), (e), (f), (h), and (i) do not apply to prevent the discharge of stormwater runoff from industrial process areas to a storm sewer when:

- (a) the owner or operator of the premises has a certificate of approval or order relating to the premises under the Environmental Protection Act, R.S.O. 1980, Chapter 141 as amended, or the Ontario Water Resources Act, R.S.O. 1980, Chapter 361 as amended, which expressly allows the discharge and a copy of the certificate of approval or order has been provided to the Regional Municipality; or
- (b) the owner or operator of the premises has written approval from the Regional Municipality for a Best Management Practices Plan (BMP) which has been prepared in accordance with Schedule E.

SECTION 6

REPORTS

- 6(1) Notwithstanding sections 4 and 5, the owner or operator of any industrial premises or class of industrial premises listed in Schedule F shall not discharge or deposit or cause or permit the discharge or deposit of sewage into or in land drainage works, private branch drains or connections to any sanitary sewer, combined sewer or storm sewer after six months from the date on which this By-law takes effect unless an extension of this time has been granted in writing by the Engineering Services Committee.
- (2) Subsection (1) does not apply with respect to any industrial premises for which a current Waste Survey Report prepared in accordance with Subsections (3) and (4) has been filed at the Regional Municipality.
- (3) The Waste Survey Report shall contain the following information and shall be signed by an authorized representative of the owner or operator:
- (a) name and address of the premises, and names of its owner and operator;
 - (b) description of process operations, including waste discharge rates and contaminant concentrations, hours of operation, and Canadian or U.S. Standard Industrial Classification codes;
 - (c) a schematic process diagram indicating waste discharge points and waste descriptions;
 - (d) the generator registration number, if any, assigned with respect to the premises under Ontario Regulation 309 made under the Environmental Protection Act, R.S.O. 1980, Chapter 141 as amended;
 - (e) the waste class, hazardous waste number, primary and secondary characteristics and analytical data and the name of the laboratory, if any, furnished to the Ontario Ministry of the Environment under Ontario Regulation 309 made under the Environmental Protection Act, R.S.O. 1980, Chapter 141 as amended, relating to any material discharged into or in land drainage works, private branch drains or connections to any sanitary, combined or storm sewer.
- (4) The Waste Survey report shall be in the form attached as Schedule F1.
- (5) Where a change occurs in the information required under Clause (3)(a) contained in a Waste Survey Report, the owner or operator of the premises shall submit the new information within 30 days of the change.

- (6) Where a change occurs in any information required under Clauses (3)(b), (c), (d) or (e) described in a Waste Survey Report, the owner or operator of the premises shall not discharge or deposit or cause or permit the discharge or deposit of sewage into or in land drainage works, private branch drains or connections to any sanitary sewer, combined sewer or storm sewer, after 60 days after the change occurs unless a new Waste Survey Report has been submitted setting out the change.

SECTION 7

AGREEMENTS

- 7(1) Subject to subsections (2), (3), and (4), the discharge or deposit of sewage that would otherwise be prohibited by this By-law may be permitted into or in any connection to any sanitary sewer or combined sewer to an extent fixed by agreement with the Regional Municipality under such conditions with respect to payment of additional sewage service rates or otherwise as may be necessary to compensate for any additional costs of operation, repair and maintenance of the sewage works.
- (2) (a) An Overstrength Discharge Agreement can only be made for discharge of the following parameters in sewage: suspended solids, biochemical oxygen demand, phenolic compounds, solvent extractable matter of animal or vegetable origin, Kjeldahl nitrogen, and phosphorus.
- (b) This agreement shall be in the form attached as Schedule G and upon recommendation of the Commissioner of Engineering, the Regional Municipality is authorized to execute such agreements under authority of this By-law.
- (c) A person who has entered into this agreement with the Regional Municipality shall pay an overstrength discharge fee, which is set out in Schedule D to this By-law.
- (3) (a) A Sanitary Sewer Surcharge Agreement shall be made for the discharge of sewage which contains water that has originated from a source separate from the potable water distribution system of the Regional Municipality and has access to the Regional sanitary sewer or combined sewer system.
- (b) This agreement shall be in the form attached hereto as Schedule H and upon recommendation of the Commissioner of Engineering, the Regional Municipality is authorized to execute such agreements under authority of this By-law.

- (c) A person who has entered into this agreement with the Regional Municipality shall pay a sanitary sewer surcharge fee, which is set out in Schedule H to this By-law.
- (4) A person who has entered into an agreement with the Regional Municipality shall not be prosecuted under Section 4 of this By-law for the discharge or deposit of sewage containing the matters specified in the agreement and in compliance with the agreement during the period within which the agreement is applicable and so long as the agreement is being fully complied with.

SECTION 8

COMPLIANCE PROGRAM

- 8(1) A compliance program may be issued as set out in subsections (2) to (6) and (9) for the discharge of a non-complying effluent during the period of planning, design, construction or installation of facilities to eliminate the non-compliance.
- (2) The owner or operator of industrial premises may submit to the Regional Municipality a program to prevent or to reduce and control the discharge or deposit of sewage into or in land drainage works, private branch drains or connections to any sanitary sewer or combined sewer from premises.
- (3) The owner or operator of industrial premises may submit to the Regional Municipality a program to prevent or to reduce and control the discharge or deposit of uncontaminated water or stormwater or eliminate the discharge or deposit of sewage into or in land drainage works, private branch drains or connections to any storm sewer from the premises.
- (4) The Regional Municipality may issue an approval for a compliance program by way of Letter of Agreement to the person who submitted the program.
- (5) Every compliance program shall be for a specified length of time during which the facilities are to be installed and shall be specific as to the remedial actions to be implemented, the dates of commencement and completion, and the materials or other characteristics of the sewage, uncontaminated water or stormwater to which it relates. The final activity completion date shall not be later than the final compliance date in the compliance program.
- (6) The Letter of Agreement for the compliance program shall be in the form attached as Schedule I and, upon recommendation of the Commissioner of Engineering, the Regional Municipality is authorized to execute such compliance programs under the authority of this By-law.

- (7) A person to whom a compliance program has been issued shall submit a compliance program progress report within 14 days after the scheduled completion date for each activity listed in the compliance program.
- (8) The compliance program progress report shall be in the form attached as Schedule J.
- (9) Where the operating authority for the sewage treatment plant, land drainage works, or storm sewer which is receiving sewage, uncontaminated water or stormwater from the premises identified in the letter of compliance program is not the Regional Municipality, the compliance program does not become effective unless the operating authority has reviewed and approved the compliance program.
- (10) A person to whom a compliance program has been issued shall not be prosecuted under section 4 or 5 of this By-law for the discharge or deposit of sewage, uncontaminated water or stormwater containing the matters specified in the compliance program and in compliance with the compliance program during the period within which the compliance program is applicable and so long as the compliance program is being fully complied with.
- (11) The Regional Municipality shall levy fees for the cost of treatment of non-complying effluent which is specified in the compliance program, during the period within which the compliance program is applicable, as set out in the attached Schedule D.

SECTION 9

SAMPLING AND ANALYSIS

- 9(1) Where a sample is required for the purpose of determining the characteristics or contents of the sewage, uncontaminated water or stormwater to which reference is made in this By-law:
 - (a) one sample alone is sufficient and, without limiting the generality of the foregoing, the sample may be a grab sample or a composite sample, may contain additives for its preservation and may be collected manually or by using an automatic sampling device;
 - (b) except as otherwise specifically provided in this By-law, all tests, measurements, analyses and examinations of sewage, uncontaminated water and stormwater, shall be carried out in accordance with Standard Methods;

- (c) for each one of the following metals: aluminum, antimony, arsenic, bismuth, cadmium, chromium, cobalt, copper, iron, lead, manganese, mercury, molybdenum, nickel, selenium, silver, tin, titanium, vanadium and zinc whose concentration is limited in Subclauses 4(1) 2.(p) and 5(1) 2.(f), the analysis shall be for the quantity of total metal, which includes all metal both dissolved and particulate.

SECTION 10

SPILLS

- 10(1) Every person who discharges or deposits or causes or permits the discharge or deposit of sewage into or in and drainage works, private branch drains or connections to any sanitary sewer or combined sewer shall, if such discharge or deposit is not in the ordinary course of events forthwith notify the Regional Municipality or the agency responsible for operating the sewage works receiving the discharge or deposit.
- (2) Every person who discharges or deposits or causes or permits the discharge or deposit of uncontaminated water or stormwater into or in land drainage works, private branch drains or connections to any storm sewer shall, if such discharge or deposit is not in the ordinary course of events forthwith notify the Regional Municipality or agency responsible for managing the land drainage works or storm sewer.
- (3) Every person who discharges or deposits or causes or permits the discharge or deposit of any of the items listed in subclauses 4(1) 2.(q) and (s) into or in land drainage works, private branch drains or connections to any sanitary sewer or combined sewer shall, forthwith notify the Regional Municipality or the agency responsible for operating the sewage works receiving the discharge or deposit.
- (4) Every person who discharges or deposits or causes or permits the discharge or deposit of any of the items listed in Subclauses 5(1) 2.(h) and (i) into or in land drainage works, private branch drains or connections to any storm sewer shall forthwith notify the Regional Municipality or agency responsible for managing the land drainage works or storm sewer.
- (5) For any of the discharges in subsections 10 (1), (2), (3) and (4) for which the person is required to forthwith notify the Regional Municipality or agency, the notification shall include the following information:

- (a) Name of the company and the address of location of spill;
 - (b) Name of person reporting the spill and telephone number where that person can be reached;
 - (c) Time of the spill;
 - (d) Type and volume of material discharged and any associated hazards; and
 - (e) Corrective actions being taken to control the spill.
- (6) Within five days following a discharge to which subsection (5) applies, the person shall submit to the Regional Municipality or agency a written report describing the cause of the spill and the actions taken or to be taken to prevent a recurrence. A detailed written report shall be submitted within thirty (30) days.

SECTION 11

GENERAL

- 11(1) The owner or operator of industrial premises with one or more connections to a sewage works shall install and maintain in good repair in each connection a suitable manhole to allow observation and sampling of the sewage and measurement of the flow of sewage therein, provided that where installation of a manhole is not possible, an alternative device or facility may be substituted with the written approval of the Commissioner of Engineering.
- (2) The manhole or alternate device shall be located on the property of the owner or operator of the premises, unless the Commissioner of Engineering has given written approval for a different location.
- (3) Every manhole, device or facility installed as required by subsection (2) shall be designed and constructed in accordance with good engineering practice and the requirements of the Regional Municipality, and shall be constructed and maintained by the owner or operator of the premises at his expense.
- (4) The owner or operator of industrial premises shall at all times ensure that every manhole, device or facility installed as required by subsection (2) is at all times accessible for purposes of observing and sampling the sewage and measuring the flow of sewage therein.
- (5) The Regional Municipality may require the owner or operator of industrial premises to install devices to monitor sewage discharges and to make available to the Regional Municipality all records of calibration and maintenance of said devices. The Regional Municipality may also require the owner or operator of industrial premises to submit regular reports regarding the sewage discharges to the Regional Municipality.

- (6) For the purpose of the administration of this By-law, a person appointed by Regional Council for the purpose may, upon production of his identification, enter any industrial premises for the purpose of inspection, observation, measurement, sampling and testing in accordance with this By-law.
- (7) No person shall break, damage, destroy, deface or tamper or cause or permit the breaking, damaging, destroying, defacing or tampering with:
 - (a) any part of a sewage works; or
 - (b) any permanent or temporary device installed in a sewage works for the purpose of measuring, sampling and testing of sewage.
- (8) The agreements contemplated by Section 7 and the Letter of Agreement for the compliance program contemplated by Section 8 may be terminated by the Regional Municipality on 30 days written notice if the discharge of sewage covered by such agreements is causing contravention of Clauses 4(1)1. and 5(1)1. of the By-law.
- (9) The agreement contemplated by Section 7 and the Letter of Agreement for the compliance program contemplated by Section 8 may be terminated by the Regional Municipality by written notice at any time where there is an emergency situation of immediate threat or danger to any person, property, plant or animal life, or waters.
- (10) Where, in the opinion of the Commissioner of Engineering, a person is contravening the provisions of sections 4 or 5 of this By-law, the Commissioner of Engineering may, upon two days' written notice to the person or the owner or occupant of the lands from which the discharge apparently emanates, order the land drainage works, private branch drains or connections, to any Sanitary Sewer, Combined Sewer or Storm Sewer carrying the prohibited discharge to be stopped up until such time as measures are undertaken by such persons, owners or occupants satisfactory to the Commissioner of Engineering to eliminate the prohibited discharge.

SECTION 12

OFFENCES

- 12(1) Every person other than a corporation who contravenes any provision of this By-law is guilty of an offence and on conviction is liable for every day or part thereof upon which such offence occurs or continues to a fine of not more than \$5,000 for a first offence and \$10,000 for any subsequent conviction.

- (2) Every corporation which contravenes any provision of this By-law is guilty of an offence and on conviction is liable for every day or part thereof upon which such offence occurs or continues to a fine of not more than \$25,000 for a first offence and \$50,000 for any subsequent conviction.
- (3) In this By-law, subsequent conviction means a conviction for an offence which offence occurs after the date of conviction for an earlier offence under this By-law or By-law No. R79-172, as amended.

SECTION 13

SHORT TITLE

This By-law may be known and referred to as "The Sewer Use By-law".

SECTION 14

REPEAL

Sections 13, 14, 15, and 16, Section 2 of Schedule C and Schedules D, E, and H of By-law R79-172, as amended, of The Regional Municipality of Hamilton-Wentworth are hereby repealed.

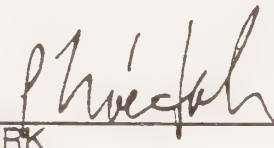
SECTION 15

EFFECTIVE DATE

This By-law shall come into force and take effect on April 10, 1989.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED this 4th day of April, 1989.


CHAIRMAN


CLERK

Approved
as to form

Regional
Solicitor

SCHEDULE A

JOINED SANITARY-FOUNDATION DRAIN SEWER LANDS

COMMENCING in the Area Municipality of the Town of Dundas at the intersection of Old Ancaster Road and the Toronto, Hamilton and Buffalo Railway Right-of-way,

THENCE southerly along Old Ancaster Road to the Town of Dundas boundary limits,

THENCE westerly and northerly along the Town of Dundas boundary limits to the Toronto, Hamilton and Buffalo Railway Right-of-way,

THENCE easterly along the Toronto, Hamilton and Buffalo Railway Right-of-way to the point of commencement.

SCHEDULE BAPPLICATION FOR ANNUAL PERMIT TO DISCHARGE HAULED SEWAGE OR
HOLDING TANK WASTES (Referred to in Section 4(7))

1. Name of Applicant _____
2. Address of Applicant _____

3. Ministry of Environment Licence #: _____
4. Vehicle Licence #: _____ Net Total Capacity (list all vehicles
to be covered by permit)

5. Holding Tank Wastes Only:
Nature and volume of material to be discharged

6. Signature of Applicant: _____
Date: _____ 19__
7. PERMIT EXPIRES ON DECEMBER 31, 19__
8. Fees:
Annual Fee \$ _____
Tickets \$ _____
TOTAL FEE; \$ _____

APPROVED _____

NO. _____

SCHEDULE C

LOCATION, ETC., FOR DISCHARGE OF HAULED
SEWAGE AND HOLDING TANK WASTES
(Referred to in Sections 4(7)&(8))

LOCATIONTIME

1. Woodward Avenue Sewage Treatment Plant
700 Woodward Avenue, Hamilton, Ontario
MONDAY TO SATURDAY INCLUSIVE.
DUMPING PERMITTED SUNDAYS OR
STATUTORY HOLIDAYS WITH ADVANCED
PERMISSION ONLY. PAYMENT BY TICKET
ONLY WHICH ARE AVAILABLE FROM THE
REGIONAL FINANCE DEPARTMENT. 6:00 a.m. to 9:00 p.m.
2. Mountain Transfer Station
Kilbride Road
Hamilton, Ontario
MONDAY TO SATURDAY INCLUSIVE.
NO DUMPING ON NEW YEARS DAY,
GOOD FRIDAY AND CHRISTMAS DAY.
PAYMENT BY CASH OR BILLED
BY ARRANGEMENT. 8:00 a.m. to 6:00 p.m.
3. Dundas Sewage Treatment Plant
135 King Street East, Dundas, Ontario
MONDAY TO SATURDAY INCLUSIVE
DUMPING PERMITTED SUNDAYS OR
STATUTORY HOLIDAYS WITH ADVANCED
PERMISSION ONLY. PAYMENT BY TICKET
ONLY WHICH ARE AVAILABLE FROM
THE REGIONAL FINANCE DEPARTMENT. 8:00 a.m. to 3:00 p.m.

SCHEDULE D

SCHEDULE OF FEES

(REFERRED TO IN SECTIONS 4, 7 AND 8)

1. Fee for an annual permit to discharge hauled sewage \$ 36.00
2. Discharge fees for hauled sewage
 - a) Waste Transportation Systems with contents to be discharged only at Woodward and Dundas Sewage Treatment Plants and in compliance with Section 4(1):

Woodward Avenue Sewage Treatment Plant	\$ 14.00 per load
Dundas Sewage Treatment Plant	\$ 14.00 per load
 - b) Waste Transportation Systems with contents to be discharged in compliance with Section 4(1), other than B.O.D. and Suspended Solids:

Woodward Avenue Sewage Treatment Plant	\$ 7.00/2500 litres, or part thereof, of the net capacity of the vehicle making such discharge (with a minimum charge of \$14.00)
Mountain Transfer Station	\$2.80/1000 Kg. (with a minimum charge of \$14.00)
 - c) Holding Tanks of Recreational Vehicles \$ 7.00
3. Overstrength Discharge Fee
 - a) B.O.D. 27.65 cents/Kg.
 - b) Suspended solids 22.58 cents/Kg.
4. Compliance Program Fees
 - a) B.O.D. 27.65 cents/Kg.
 - b) Suspended solids 22.58 cents/Kg.

SCHEDULE E - BEST MANAGEMENT PRACTICES (BMP) PLAN

A Best Management Practices Plan is a plan agreed to by the Regional Municipality with guidance from the Ontario Ministry of the Environment and is developed for activities which are associated with or ancillary to industrial manufacturing or treatment processes. The ancillary sources addressed in BMP plan are material storage areas; loading and unloading areas; plant site runoff; in-plant transfer, process, and material handling areas; and sludge and hazardous waste disposal areas. In general, the BMP Plan will include practices used by industry for pollution control from these sources, safety programs, fire protection, protection against loss of valuable raw materials or products, etc. The following elements must be included in a BMP Plan:

General

1. Name and location of facility
2. Statement of BMP policy and objectives
3. Review by plant manager

Specific

1. Establishment of BMP Committee
2. Risk Identification and Assessment
3. Reporting of BMP Incidents
4. Materials Compatibility
5. Good Housekeeping
6. Preventive Maintenance
7. Inspection and Records
8. Security
9. Employee Training

SCHEDULE F - INDUSTRIAL SECTORS

CATEGORY	SIC	SIC (CANADIAN)
Construction Industry	1600-1799	4011-4499
<u>Food and Kindred Products</u>		
Meat	2011-2013	1011
Poultry	2016-2017	1012
Dairy	2021-2026	1041-1049
Fruit and Vegetables	2032-2038	1031-1032
Grain Mills	2041-2048	1051-1059
Fats and Oils	2074-2079	1061
Bakery Products	2051-2052	1071-1072
Sugar Processing	2061-2067	1081-1089
Beverages	2082-2087	1111-1141
Seafood Processing	2091-2092	1021
Misc. Food Processing	2095-2099	1091-1099
Tobacco	2110-2141	1211-1221
<u>Textile Mill Products</u>		
Primary Textiles	2211-2269	1800-1899
Textile Products	2271-2299	1900-1999
Apparel & Other Textile Prod.	2311-2399	2441-2499
<u>Lumber and Wood Products</u>		
Timber Products Processing	2411-2499	2511-2599
Wood Preserving	2491	2591
Wood & Metal Furniture Manu.	2510-2599	2611-2699
<u>Paper & Allied Products</u>		
Pulp, Paper & Paperboard Mills	2600-2631	2711-2712
Misc. Converted Paper Products	2640-2655	2731-2799
Building Paper and Board Mills	2661	2713-2719
Printing and Publishing	2700-2799	2811-2899
<u>Chemicals and Allied Products</u>		
Inorganic Chemicals Manufact.	2810-2819	3711
Phosphate Manufacturing	2819	3721-3729
Plastics, Resins & Synthetic Fibers M.	2821-2824	3731
Pharmaceutical Manufacturing	2830-2834	3741
Soaps and Cosmetics	2840-2844	3761-3771
Paints, Varnishes Manufacture	2851	3751
Gums and Wood Chemicals	2861	3712
Dye Manufacture	2865	3712
Organic Chemicals & Pesticide Man.	2869	3712
Pesticide Formulation	2879	3712
Fertilizer Manufacture	2873-2875	3721-3729

SCHEDULE F - INDUSTRIAL SECTORS (CONTINUED)

CATEGORY	SIC	SIC (CANADIAN)
<u>Chemicals and Allied Products (Cont'd)</u>		
Adhesives and Sealants	2891	3792
Explosives	2892	3711
Ink Manufacture	2893	3791
Carbon Black	2895	3711
Chemicals & Chemical Prepar.	2899	3711
Petroleum Refining	2911	3611
Paving and Roofing Materials	2951-2952	3699
Coal & Petroleum Products	2991-2999	3612-3698
<u>Rubber and Misc. Plastic Products</u>		
Rubber Products	3011-3069	1500-1599
Plastics Molding	3070-3079	1600-1699
<u>Leather and Leather Products</u>		
Leather Tanning and Finishing	3111	1711
Leather Goods	3131-3199	1712-1719
<u>Stone Clay and Glass Products</u>		
Stone, Clay and Glass Products	3200-3299	3511-3599
Asbestos Manufacturing	3292	3592
Glass Manufacturing	3211-3229	3561-3562
Cement Manufacturing	3271-3273	3521-3551
<u>Primary Metal Industries</u>		
Iron and Steel	3300-3317	2911-2921
Foundries	3321-3325	2941
Nonferrous Metals Forming/Manu.	3331-3369	2951-2999
Aluminum Forming	3353-3355	2951
Copper Forming	3351-3357	2959
Misc. Primary Metal Products	3390-3399	2999
<u>Fabricated Metal Products</u>		
Metal Finishing	3411-3469	3011-3099
Electroplating	3471	3011-3099
Coil Coating	3479	3011-3099
Ordnance and Accessories	3482-3489	3011-3099
Misc. Fabricated Metal Products	3490-3499	3011-3099
<u>Equipment and Machinery</u>		
Machinery Manufacturing	3500-3599	3111-3199
Electrical & Electronic Comp.	3612-3690	3311-3399
Battery Manufacturing	3691-3692	3391
Misc. Electrical Equipment	3693-3699	3392-3399
Transportation Equipment	3711-3799	3211-3299
Instruments & Related Products	3811-3873	3911-3914
Misc. Manufacturing	3911-3999	3921-3999
Photographic Chemicals Manu.	3861	

SCHEDULE F - INDUSTRIAL SECTORS (CONTINUED)

CATEGORY	SIC	SIC (CANADIAN)
<u>Transportation and Public Services</u>		
Transportation Services	4000-4799	4511-4599
Electricity Generation & Dist.	4911-4931	4911
Water Supply	4941	4931
Waste Treatment and Disposal	4952	4999
Refuse Systems	4953	4999
Hazardous Waste Treaters	4953	4999
<u>Wholesale and Retail Industry</u>		
Petroleum Products Dealers	5983-5989	5111
Automobile Wrecking	5015	5911
Barrel and Drum Reclaimers	5085	5919
Scrap and Waste Materials	5093	5919
Solvent Reclaimers	5093	5919
Waste Oil Reclaimers	5093	5919
<u>Services</u>		
Furniture Refinishing	7641	6213
Gasoline Service Stations	5541	6331
Automotive Repair	7532-7549	6351-6399
Photographic Services	7384	6571
Hospitals and Clinics	8062-8072	8611-8619
Industrial and Commercial Laundries	7211-7219	9721-9729
Funeral Services	7261	9731
Disinfecting & Exterminating	7342	9951
Building Maintenance	7349	9952-9959

SCHEDULE F1 - WASTE SURVEY REPORT**REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
WASTE SURVEY REPORT****SECTION 1 - General Information**

(a) Name of Person submitting report: _____
(name)

(company name, corporation, owner) (telephone no.)

(postal address) (postal code)

(b) Company Officer responsible for effluent control:

(name) (telephone no.)

(c) Location of Premises:

(number, street, or road, municipality)

**THE INFORMATION CONTAINED IN THIS REPORT TO THE BEST OF MY
KNOWLEDGE AND BELIEF IS TRUE, COMPLETE AND ACCURATE.**

(authorized representative)

(title) (date)

SECTION 2 - Product or Service Information

- (a) Canadian or U.S. Standard Industrial Classification Codes (SIC)

_____	_____	_____
_____	_____	_____

These are ☐ Canadian SICs or ☐ U.S. SICs.

- (b) Brief description of manufacturing or service activities:

- (c) Principal products produced or services rendered:

- (d) Number of employees:

plant: _____ office: _____

- (e) Number of shifts per day: _____ Number of days per week: _____

- (f) Are major processes:

☐ batch ☐ continuous ☐ both

If batch, average number of batches per 24-hour day: _____

- (g) Is the production subject to seasonal variation:

☐ yes ☐ no

If yes, briefly describe seasonal production cycle:

- (h) Is there a special clean-up period: ☐ yes ☐ no

If yes, briefly describe clean-up period activities:

SECTION 3 - Waste Characteristics

- (a) Source of water supply: _____

- (b) Type of waste discharged (check all that apply):

<u>TYPE</u>	<u>AVE. FLOW/DAY</u> (m ³ /day)		
☐ sanitary	_____	☐ estimated	☐ measured
☐ noncontact cooling	_____	☐ estimated	☐ measured
☐ contact cooling	_____	☐ estimated	☐ measured
☐ process	_____	☐ estimated	☐ measured
☐ other	_____	☐ estimated	☐ measured

- (c) Wastes are discharged to (check all that apply):

<u>TYPE</u>	<u>AVE. FLOW/DAY</u> (m ³ /day)		
☐ sanitary #1	_____	☐ estimated	☐ measured
☐ sanitary #2	_____	☐ estimated	☐ measured
☐ storm sewer #1	_____	☐ estimated	☐ measured
☐ storm sewer #2	_____	☐ estimated	☐ measured
☐ ground water	_____	☐ estimated	☐ measured
☐ surface water	_____	☐ estimated	☐ measured
☐ evaporation	_____	☐ estimated	☐ measured

If more than two(2) sanitary and/or storm sewer connections, please include.

- (d) Expected characteristics of wastes discharged to sanitary and storm sewers (complete Pollutant Information Sheets for the discharge to each sewer).

SECTION 4 - Physical Lay-Out

Layout sketch of property (to scale or approximate) to co-ordinate buildings, pretreatment works, property boundaries, effluent lines, and sanitary and storm sewer connections. (Number sewer connections to Regional sewers so that they can be related to Pollutant Information Sheets).

SECTION 5 - Regulation 309 Information

For wastes discharged into or in connection to any sanitary sewer or combined sewer or storm sewer.

(a) Generator registration number: _____

SECTION 6 - Regulation 309 Information

For wastes discharged into or in connection to any sanitary sewer or combined sewer or storm sewer (complete Section 6 for each sewer connection).

(a) Description of waste: _____

(b) Description of generating process: _____

(c) Primary characteristic: _____

Analytical data (if applicable): _____

Name of Laboratory (if applicable): _____

Waste Class: _____ Hazardous Waste Number: _____

(d) Secondary characteristic: _____

Analytical data (if applicable): _____

SECTION 7 - Pretreatment

Pretreatment devices or processes used for treating wastes or sludges before discharge to the sanitary sewer system (check as many as appropriate):

- ☐ Air flotation
- ☐ Centrifuge
- ☐ Chemical precipitation
- ☐ Chlorination
- ☐ Cyclone
- ☐ Filtration
- ☐ Flow Equalization
- ☐ Grease or oil separation, type _____
- ☐ Grease trap
- ☐ Grit Removal
- ☐ Ion Exchange
- ☐ Neutralization, pH correction
- ☐ Ozonation
- ☐ Reverse Osmosis
- ☐ Screening
- ☐ Sedimentation
- ☐ Septic tank
- ☐ Solvent separation
- ☐ Spill protection
- ☐ Sump
- ☐ Biological treatment, type _____
- ☐ Rainwater diversion or storage _____
- ☐ Other chemical treatment, type _____
- ☐ Other physical treatment, type _____
- ☐ Other, type _____
- ☐ No pretreatment provided

SECTION 8 - Pollutant Information Sheet (Controlled Matter)

Please complete this section for each lateral sewer connection carrying industrial waste with access to the Regional sewer system.

Information for: ☐ sanitary sewer ☐ storm sewer, sewer number _____

Indicate by placing an "x" in the appropriate box for each listed parameter whether it is "suspected to be absent", "known to be absent", "suspected to be present" or "known to be present" and the known or expected concentration in milligrams per litre.

<u>PARAMETER</u>	<u>KNOWN PRESENT</u>	<u>SUSPECTED PRESENT</u>	<u>KNOWN ABSENT</u>	<u>SUSPECTED ABSENT</u>	<u>CONCENTRA- TION mg/litre</u>
1. chlorides	☐	☐	☐	☐	_____
2. sulphates	☐	☐	☐	☐	_____
3. aluminum	☐	☐	☐	☐	_____
4. iron	☐	☐	☐	☐	_____
5. fluoride	☐	☐	☐	☐	_____
6. phosphoru	☐	☐	☐	☐	_____
7. antimony	☐	☐	☐	☐	_____
8. bismuth	☐	☐	☐	☐	_____
9. chromium	☐	☐	☐	☐	_____
10. cobalt	☐	☐	☐	☐	_____
11. lead	☐	☐	☐	☐	_____
12. manganese	☐	☐	☐	☐	_____
13. molybdenum	☐	☐	☐	☐	_____
14. selenium	☐	☐	☐	☐	_____
15. silver	☐	☐	☐	☐	_____
16. tin	☐	☐	☐	☐	_____
17. titanium	☐	☐	☐	☐	_____
18. vanadium	☐	☐	☐	☐	_____
19. copper	☐	☐	☐	☐	_____
20. cyanide	☐	☐	☐	☐	_____
21. nickel	☐	☐	☐	☐	_____
22. zinc	☐	☐	☐	☐	_____
23. arsenic	☐	☐	☐	☐	_____
24. cadmium	☐	☐	☐	☐	_____
25. phenolic compounds	☐	☐	☐	☐	_____
26. mercury	☐	☐	☐	☐	_____

SECTION 8 - Pollutant Information Sheet (Controlled Matter)

<u>PARAMETER</u>	<u>KNOWN PRESENT</u>	<u>SUSPECTED PRESENT</u>	<u>KNOWN ABSENT</u>	<u>SUSPECTED ABSENT</u>	<u>CONCENTRAT- ION mg/litre</u>
27. BOD	☐	☐	☐	☐	_____
28. TSS	☐	☐	☐	☐	_____
29. oil & grease (animal/ veg)	☐	☐	☐	☐	_____
30. oil & grease (mineral/ syn)	☐	☐	☐	☐	_____
31. Kjeldahl nitrogen	☐	☐	☐	☐	_____

SECTION 9 - Pollutant Information Sheet (No Discharge)

Please complete this section for each lateral sewer connection carrying industrial waste with access to the Regional sewer system.

Information for: [] sanitary sewer number [] storm sewer, sewer number _____

Indicate by placing an "x" in the appropriate box for each listed parameter whether it is "suspected to be absent", "known to be absent", "suspected to be presented" or "known to be present" and the known or expected quantity in kg/month.

<u>PARAMETER</u>	<u>KNOWN PRESENT</u>	<u>SUSPECTED PRESENT</u>	<u>KNOWN ABSENT</u>	<u>SUSPECTED ABSENT</u>	<u>QUANTITY kg/month</u>
31. pesti- cides	[]	[]	[]	[]	_____
32. acute hazardous waste chemicals	[]	[]	[]	[]	_____
33. fuels	[]	[]	[]	[]	_____
34. hazardous industrial wastes	[]	[]	[]	[]	_____
35. hazardous waste chemicals	[]	[]	[]	[]	_____
36. ignitable wastes	[]	[]	[]	[]	_____
37. patholog- ical wastes	[]	[]	[]	[]	_____
38. PCB wastes	[]	[]	[]	[]	_____
39. reactive wastes	[]	[]	[]	[]	_____
40. severely toxic wastes	[]	[]	[]	[]	_____
41. waste radio- active materials	[]	[]	[]	[]	_____

SCHEDULE G - OVERSTRENGTH DISCHARGE AGREEMENT FORM

THIS AGREEMENT made this ____ day of _____, A.D. 19__.

B E T W E E N:

(hereinafter called the Regional Municipality)

OF THE FIRST PART

- and -

(hereinafter called the Company)

OF THE SECOND PART

WHEREAS the Regional Municipality enacted By-law No. _____ on the ____ day of _____, relating to the discharge of sewage into any sanitary sewer or combined sewer in the Regional Municipality; and

WHEREAS the said By-law prohibits the discharge of industrial sewage containing certain substances in quantities in excess of the limits set by the By-law but provides that the Regional Municipality may permit the discharge of industrial waste which would otherwise be prohibited by the said By-law to an extent fixed by agreement with the Regional Municipality under such conditions with respect to payment or otherwise as may be necessary to compensate for any additional costs of treatment; and

WHEREAS the Company carries on an industrial activity within the Regional Municipality at premises known as _____ which activity produces a sewage discharge in which the quantity of one or more of Suspended Solids, Biochemical Oxygen Demand (hereinafter referred to as B.O.D.), Phenolic Compounds, Kjeldahl nitrogen, Phosphorus, or solvent extractable matter of animal and vegetable origin (hereinafter referred to as Grease) is above the permissible limits set out in the said By-law which results in materially adding to the cost of treatment at the Regional Municipality's sewage works.

NOW THEREFORE THIS INDENTURE WITNESSES that the parties hereto mutually covenant and agree as follows:

1. During the currency of this agreement, the QUANTITY OF SEWAGE DISCHARGED by the Company from its premises at _____ to the sanitary sewer or combined sewer system shall not exceed _____ cubic metres per day and the RATE OF SUCH DISCHARGE OF SEWAGE from the said premises shall not exceed _____ cubic metres per hour.

2. During the currency of this agreement only, the QUALITY OF THE SEWAGE discharged by the Company from the said premises to the sanitary sewer or combined sewer system MAY EXCEED THE LIMITS SET BY THE BY-LAW with respect to the quantity of Suspended Solids, B.O.D., Phenolic Compounds, Grease, Phosphorus and Kjeldahl Nitrogen provided that they SHALL NOT EXCEED THE FOLLOWING LIMITS AT ANY TIME:

(a)	Suspended Solids	-	_____	milligrams/litre
(b)	B.O.D.	-	_____	milligrams/litre
(c)	Phenolic Compounds	-	_____	milligrams/litre
(d)	Grease	-	_____	milligrams/litre
(e)	Phosphorus	-	_____	milligrams/litre
(f)	Kjeldahl Nitrogen	-	_____	milligrams/litre

3. THE DISCHARGE OF SEWAGE BY the Company from the said premises containing Suspended Solids, B.O.D., Phenolic Compounds, Grease, Phosphorus or Kjeldahl Nitrogen, IN EXCESS OF THE ABOVE LIMITS shall constitute a contravention of this agreement and thus a contravention of the By-law.

4. (1) The COMPANY shall install and maintain suitable measuring devices approved by the Commissioner of Engineering in order to measure the quantity of sewage and all sewage covered in the agreement shall flow through these measuring devices. The measuring devices shall be positioned at the sanitary sewer monitoring manhole located farthest downstream on the sanitary sewer lateral, and located at a point just prior to entry into the Regional Municipality's sanitary sewer system or else at a sampling point mutually agreed to by the Region and the Company.

(2) Where, in the opinion of the Commissioner of Engineering, it is impractical to install and maintain suitable measuring devices in order to measure the quantity of sewage, then the Commissioner of Engineering may permit the utilization of water consumption records or such other method as he deems appropriate as a basis of estimating the quantity of sewage flowing to the sewers.

- (3) Any measuring device for the measuring of the quantity of sewage shall be read by persons appointed by the Commissioner of Finance for the purpose of calculating the overstrength discharge fee under this agreement.
- (4) The accuracy of the aforementioned measuring devices shall meet the current effluent MISA monitoring standards as published by the Ministry of the Environment. The Commissioner of Engineering reserves the right to challenge the accuracy of the measuring devices and may require calibration of these devices at the expense of the Company, said expense to be in addition to the other charges provided by this Agreement.
- (5) The quality of sewage shall be deemed to be as determined by tests conducted by or authorized by the Commissioner of Engineering or in such other manner as the Commissioner of Engineering shall approve and shall be in accordance with the Standard Methods, current at the date of testing.

5. SUBJECT TO THE RIGHTS OF TERMINATION PROVIDED FOR HEREIN, this agreement shall remain in force from _____ until December 31st, _____, and be automatically renewed on January 1st, _____, and annually thereafter, on the same terms and conditions provided the parties so agree in writing.

6. THIS AGREEMENT MAY BE TERMINATED BY THE REGIONAL MUNICIPALITY at any time on 30 days written notice sent by registered mail addressed to the Company at the said premises, if:

- (a) The sewage is causing a health or safety hazard to sewage works employee; or
- (b) The sewage is causing damage to the sewers, materially increasing their maintenance costs or causing a dangerous condition; or
- (c) The sewage is causing damage to the sewage treatment process or causing a dangerous condition in the treatment works; or
- (d) The sewage is causing the sludge from the sewage works, to fail to meet criteria relating to contaminants for spreading the sludge on agricultural lands under the current Ontario's Guidelines for Sewage Sludge Unitization on Agricultural Lands, or
- (e) The sewage is causing the sewage works effluent to contravene any requirement by or under the Ontario Water Resources Act, R.S.O. 1980, Chapter 361 as amended, or the Environmental Protection Act, R.S.O. 1980, Chapter 141 as amended; or

- (f) The sewage is causing a hazard to any person, animal, property, or vegetation; or
- (g) The sewage is contrary to By-law No. _____ in any way other than as provided herein.

7. THIS AGREEMENT MAY BE TERMINATED BY THE REGIONAL MUNICIPALITY at any time where there is an emergency situation of immediate threat or danger to any person, property, plant or animal life, or waters.

8. THIS AGREEMENT MAY BE TERMINATED BY THE COMPANY at any time on 30 days written notice sent by registered mail addressed to the Commissioner of Engineering of the Regional Municipality.

9. IN THE EVENT OF RENEWAL IF THE REGIONAL MUNICIPALITY GIVES WRITTEN NOTICE sent by registered mail to the Company as aforesaid at any time within 30 days before or after the start of each calendar year, THAT THE AMOUNT OF THE OVERSTRENGTH DISCHARGE FEE OR ANY OF THE LIMITS HEREINBEFORE SET OUT ARE TO BE CHANGED and no new agreement can be reached between the Regional Municipality and the Company, this agreement may be terminated at the option of the Regional Municipality at any time without notice 90 days after the registered notice was sent.

10. EXCEPT AS HEREIN OTHERWISE EXPRESSLY PROVIDED THE COMPANY SHALL CONFORM TO THE PROVISIONS OF THE SAID BY-LAW NO. _____ of the Regional Municipality relating to the discharge of sewage and in the event of termination of this agreement the company shall conform to the provisions of the said By-law.

11.(1) THE COMPANY HEREBY COVENANTS AND AGREES TO PAY TO THE REGIONAL MUNICIPALITY a fee based on an excess suspended solids of _____ milligrams/litre, and excess B.O.D. of _____ milligrams/litre, an excess phenolic compounds of _____ milligrams/litre, an excess of grease of _____ milligrams/litre, an excess of Kjeldahl nitrogen of _____ milligrams/litre, an excess of phosphorus of _____ milligrams/litre. The Quantity of the sewage discharged shall be determined as set out in section 4 of this agreement. The overstrength discharge fee for each quarter shall be based on the additional costs of treatment of the aforementioned sewage as set by the Regional Municipality annually.

(2) The said overstrength discharge fee shall become due and be paid quarterly as levied by the Regional Municipality in each year of this agreement until terminated as herein provided.

(3) If the company agrees to do daily flow proportional sampling of the quantity of sewage and analyses those samples for quantities of those parameters in excess of By-law No. _____, and these results can be verified by the Regional Municipality of Hamilton-Wentworth, then the fees for that year will be adjusted in the final invoice of the calendar year to cover actual quantities discharged for that year.

12. THE COMPANY COVENANTS AND AGREES TO PAY TO THE REGIONAL MUNICIPALITY on demand interest on overdue amounts at a rate of 2% above the current prime rate adjusted at the beginning of each fiscal quarter, with a minimum service charge of \$5.00; and that interest will be charged after each thirty day interval the amount remains outstanding.

13. THE REGIONAL MUNICIPALITY MAY TERMINATE THIS AGREEMENT at its option without notice if the Company fails for more than two months to pay an overdue amount but such termination shall not relieve the Company from its liability to make such payment.

14. (1) Where the Company has substantially reduced the quantity of the substances discharged under the terms of this agreement by reason of the installation of pretreatment facilities or a change in its processes or operations, the Company shall be entitled to a reduction in the overstrength discharge fee so that the payments shall be based on the reduced quantity discharged.

(2) A reduction under Subsection (1) in the amount of the overstrength discharge fee shall not take effect until 30 days from the date that the Company notifies the Regional Municipality in writing of the change and until the Regional Municipality has had such additional time as may be necessary in the circumstances to take samples and re-evaluate the waste being discharged.

15. THIS AGREEMENT SHALL ENURE to the benefit of, and be binding upon the heirs, executors, administrators, successors and assigns of the parties hereto.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their Corporate Seals attested to by the hands of their respective proper officers in that behalf duly authorized.

SIGNED, SEALED AND
DELIVERED in the
presence of:

COMPANY NAME

AUTHORIZED SIGNATURE(S)

AUTHORIZED SIGNATURE(S)

DATE

REGIONAL MUNICIPALITY OF
HAMILTON-WENTWORTH

REGIONAL CHAIRMAN

Approved
Department of Engineering

COMMISSIONER OF FINANCE

REGIONAL CLERK

DATE

SCHEDULE H -SANITARY SEWER SURCHARGE AGREEMENT FORM

THIS AGREEMENT made this ____ day of _____, A.D. 19__.

B E T W E E N:

(hereinafter called the Regional Municipality)

OF THE FIRST PART

- and -

(hereinafter called the Company)

OF THE SECOND PART

WHEREAS the Regional Municipality enacted By-law No. _____ on the ____ day of _____, relating to the discharge of sewage into any sanitary sewer or combined sewer in the Regional Municipality; and

WHEREAS the said By-law prohibits the discharge of water, that has originated from a source separate from the potable water distribution system of the Regional Municipality but provides that the Regional Municipality may permit the discharge of industrial waste containing water which would otherwise be prohibited by said By-law to an extent fixed by agreement with the Regional Municipality under such conditions with respect to payment or otherwise as may be necessary to compensate for any additional costs of treatment; and

WHEREAS the Company carries on an industrial activity within the Regional Municipality at premises known as _____ which activity produces a sewage discharge which contains water that has originated from a source separate from the potable water distribution system of the Regional Municipality which is contrary to By-law _____ and which results in materially adding to the cost of treatment at the Regional sewage works.

NOW THEREFORE THIS INDENTURE WITNESSES that the parties hereto mutually covenant and agree as follows:

1. During the currency of this agreement, the QUANTITY OF SEWAGE DISCHARGED by the Company from its premises at _____ to the sanitary sewer or combined sewer system shall not exceed _____ cubic metres per day and the RATE OF SUCH DISCHARGE OF SEWAGE from the said premises shall not exceed _____ cubic metres per hour.
2. (1) The COMPANY shall install and maintain suitable measuring devices approved by the Commissioner of Engineering to measure all water originating from a source separate from the Regional potable water distribution system that has access to the Regional sanitary sewer or combined sewer system.
- (2) Any device for measuring water that has originated from a source separate from the Regional potable water distribution system shall be read by persons appointed by the Commissioner of Finance to calculate the sanitary sewer surcharge under this agreement.
3. SUBJECT TO THE RIGHTS OF TERMINATION PROVIDED FOR HEREIN, this agreement shall remain in force from _____ until December 31st, _____, and be automatically renewed on January 1st, _____, and annually thereafter, on the same terms and conditions provided the parties so agree in writing.
4. THIS AGREEMENT MAY BE TERMINATED BY THE REGIONAL MUNICIPALITY at any time on 30 days written notice sent by registered mail addressed to the Company at the said premises, if:
 - (a) The sewage is causing a health or safety hazard to sewage works employee; or
 - (b) The sewage is causing damage to the sewers, materially increasing their maintenance costs or causing a dangerous condition; or
 - (c) The sewage is causing damage to the sewage treatment process or causing a dangerous condition in the treatment works; or
 - (d) The sewage is causing the sludge from the sewage works, to fail to meet criteria relating to contaminants for spreading the sludge on agricultural lands under the current Ontario's Guidelines for Sewage Sludge Unitization on Agricultural Lands; or

- (e) The sewage is causing the sewage works effluent to contravene any requirement by or under the Ontario Water Resources Act, R.S.O. 1980, Chapter 361 as amended, or the Environmental Protection Act (Ontario), R.S.O. 1980, Chapter 141 as amended; or
- (f) The sewage is causing a hazard to any person, animal, property, or vegetation; or
- (g) The sewage is contrary to By-law No. _____ in any way other than as provided herein.

5. THIS AGREEMENT MAY BE TERMINATED BY THE REGIONAL MUNICIPALITY at any time where there is an emergency situation of immediate threat or danger to any person, property, plant or animal life, or waters.

6. THIS AGREEMENT MAY BE TERMINATED BY THE COMPANY at any time on 30 days written notice sent by registered mail addressed to the Commissioner of Engineering of the Regional Municipality.

7. IN THE EVENT OF RENEWAL IF THE REGIONAL MUNICIPALITY GIVES WRITTEN NOTICE sent by registered mail to the Company as aforesaid at any time within 30 days before or after the start of each calendar year, THAT THE AMOUNT OF THE SANITARY SEWER SURCHARGE OR ANY OF THE LIMITS HEREINBEFORE SET OUT ARE TO BE CHANGED and no new agreement can be reached between the Regional Municipality and the Company, this agreement may be terminated at the option of the Regional Municipality at any time without notice 90 days after the registered notice was sent.

8. EXCEPT AS HEREIN OTHERWISE EXPRESSLY PROVIDED, THE COMPANY SHALL CONFORM TO THE PROVISIONS OF THE SAID BY-LAW of the Regional Municipality relating to the discharge of sewage and in the event of termination of this agreement the company shall conform to the provisions of the said By-law.

9. THE COMPANY HEREBY COVENANTS AND AGREES TO PAY TO THE REGIONAL MUNICIPALITY a sanitary sewer surcharge on the quantity of water received from a source separate from the potable water distribution system of the Regional Municipality. The sanitary sewer surcharge will be calculated in accordance with Schedule "A" of the Regional By-law No. 2-75, as amended. A credit may be available against, and in an amount not greater than the aforementioned sanitary sewer surcharge for any Regionally supplied potable water that is treated by the Company and discharged directly to Lake Ontario or Hamilton Harbour upon verification by the Regional Municipality.

10. THE SAID SANITARY SEWER SURCHARGE shall become due and be paid quarterly as levied by the Regional Municipality in each year of this agreement until terminated as herein provided.

11. THE COMPANY COVENANTS AND AGREES TO PAY TO THE REGIONAL MUNICIPALITY on demand interest on overdue amounts at a rate of 2% above the current prime rate adjusted at the beginning of each fiscal quarter, with a minimum service charge of \$5.00; and that interest will be charged after each thirty day interval the amount remains outstanding.

12. THE REGIONAL MUNICIPALITY MAY TERMINATE THIS AGREEMENT at its option without notice if the Company fails for more than two months to pay an overdue amount but such termination shall not relieve the Company from its liability to make such payment.

13. THIS AGREEMENT SHALL ENURE to the benefit of, and be binding upon the heirs, executors, administrators, successors and assigns of the parties hereto.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their Corporate Seals attested to by the hands of their respective proper officers in that behalf duly authorized.

SIGNED, SEALED AND
DELIVERED in the
presence of:

COMPANY NAME

AUTHORIZED SIGNATURE(S)

AUTHORIZED SIGNATURE(S)

DATE

REGIONAL MUNICIPALITY OF
HAMILTON-WENTWORTH

REGIONAL CHAIRMAN

Approved
Department of Engineering

COMMISSIONER OF FINANCE

REGIONAL CLERK

DATE

SCHEDULE I - LETTER OF AGREEMENT FOR COMPLIANCE PROGRAM

Address: _____ Date: _____

Attention of: _____

COMPLIANCE PROGRAM NUMBER _____

In accordance with the provision of Section _____ of
 _____ By-law _____, you are hereby
 granted a compliance program for your attached program identified in Appendix I
 subject to the following conditions:

1. During the period covered by this compliance program only, the quality of the
 _____ (sewage, uncontaminated water,
 or stormwater) discharged by your Company from the said premises to the
 _____ (sanitary, combined or storm) sewer
 system or land drainage works may exceed the limits set by By-law.
 _____ with respect to the parameters listed below provided that they
 shall not exceed the following limits at any time:

	<u>parameter</u>	<u>limit (mg/litre)</u>
(a)	_____	_____
(b)	_____	_____
(c)	_____	_____
(d)	_____	_____
(e)	_____	_____
(f)	_____	_____

2. The discharge of _____ (sewage,
 uncontaminated water or stormwater) by your Company from the said
 premises containing the parameters listed in Item 1 in excess of the limits
 listed in Item 1 shall constitute a contravention of this compliance program
 and thus a contravention of the said by-law.
- 3(a) The Region shall levy fees for the cost of treatment of non-complying effluent
 which is specified in this compliance program.

- (b) The said fees shall become due and be paid quarterly as levied by the Regional Municipality in each year of this compliance program until terminated or completed as herein provided.
 - (c) Your Company must agree to pay to the Regional Municipality on demand interest on overdue amounts at a rate of 2% above the current prime rate adjusted at the beginning of each fiscal quarter, with a minimum service charge of \$5.00; and that interest will be charged after each thirty day interval the amount remains outstanding.
 - (d) The Regional Municipality may terminate this compliance program at its option without notice if your Company fails for more than two months to pay an overdue amount but such termination shall not relieve your Company from its liability to make such payment.
3. The compliance program may be terminated at any time on 30 days written notice sent by registered mail addressed to the Company at the said premises, if
- (a) The sewage is causing a health or safety hazard to sewage works employee; or
 - (b) The sewage is causing damage to the sewers, materially increasing their maintenance costs or causing a dangerous condition; or
 - (c) The sewage is causing damage to the sewage treatment process or causing a dangerous condition in the treatment works; or
 - (d) The sewage is causing the sludge from the sewage works, to fail to meet criteria relating to contaminants for spreading the sludge on agricultural lands under Ontario's Guidelines for Sewage Sludge Unitization on Agricultural Lands (as revised January, 1986), or
 - (e) The sewage is causing the sewage works effluent to contravene any requirement by or under the Ontario Water Resources Act or the Environmental Protection Act (Ontario).
 - (f) The sewage is causing a hazard to any person, animal, property, or vegetation.
 - (g) The sewage is contrary to By-law No. _____ in any way other than as provided herein.

(The above clauses should be appropriately changed if the compliance program is being issued for the discharge of stormwater.)

4. The compliance program may be terminated at any time where there is an emergency situation of immediate threat or danger to any person, property, plant or animal life, or waters.
5. This compliance program shall remain in force until _____ provided the following timetable is adhered to:

<u>COMPLIANCE PROGRAM ACTIVITIES</u>	<u>SCHEDULED COMMENCEMENT DATE</u>	<u>SCHEDULE COMPLETION DATE</u>
a. Select Engineer	_____	_____
b. Engineering Investigation of Plant Conditions (Industrial Process Review & Wastewater Characterization)	_____	_____
c. Select Treatment Process & Design Criteria (Treatability Studies)	_____	_____
d. Detailed Design of Treatment System (Plans & Specifications)	_____	_____
e. Preparation of Operations Manual	_____	_____
f. Select Contractor for Installation/Construction	_____	_____
g. Commence Construction		
i. Site Preparation (survey, excavation etc.)	_____	_____
ii. Foundation Work & Under- ground Utilities (slabs, sewer, etc.)	_____	_____
iii. Structural Work (bldgs., etc.)	_____	_____
iv. Mechanical Work (control panels, etc.)	_____	_____

- v. Electrical Work (control panels, etc.) _____
 - vi. Site Finish Work (fences, clean-up, etc.) _____
 - h. Pretreatment System Start Up _____
6. You must, however, take all necessary steps to ensure that all other conditions and parameters listed in the By-Law are not exceeded, as there are no other exemptions.
7. You must acknowledge your acceptance of this compliance program by returning a signed and sealed copy of this Letter of Agreement for compliance program within 30 days of your receipt of the Letter of Agreement.

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

REGIONAL CHAIRMAN_____
COMMISSIONER OF FINANCE_____
Approved
Department of Engineering_____
REGIONAL CLERK_____
DATE

SIGNED AND ACCEPTED BY:

AUTHORIZED REPRESENTATIVE(S)_____
AUTHORIZED REPRESENTATIVE(S)_____
COMPANY NAME

(company seal)

DATE

SCHEDULE J - COMPLIANCE PROGRAM PROGRESS REPORT*

COMPANY NAME: _____

ADDRESS: _____

DATE SUBMITTED: _____

AUTHORIZED
REPRESENTATIVE: _____

1. COMPLIANCE PROGRAM ACTIVITY DESCRIPTION: _____

2. SCHEDULED COMPLETION DATE FOR ABOVE ACTIVITY: _____
3. ACTIVITY COMPLETED ON SCHEDULE? YES [] NO []
4. IF NOT ON SCHEDULE, INDICATE ANTICIPATED COMPLETION DATE: _____
5. STATE REASON FOR DELAY, IF APPLICABLE: _____

6. WHAT ACTION HAS BEEN INITIATED TO RETURN PROJECT TO ORIGINAL SCHEDULE?

*Report is to be submitted within 14 days after scheduled completion of each Activity listed in the Compliance Program.

BILL NO.1449

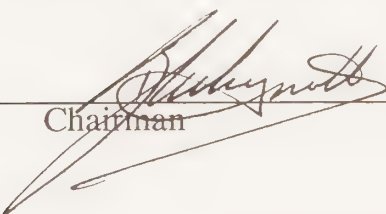
THE CANADA COACH LINES, LIMITED
BY-LAW NO. CCL 89-002

Being a by-law to amend By-Law No. CCL 89-001

The Council of the Regional Municipality of
Hamilton-Wentworth, as the Board of Directors of
The Canada Coach Lines, Limited,
hereby enacts as follows:

1. That the word 'Solicitor' is deleted where it appears in section 4 and clause 5(b) of By-Law No. CCL 89-001 and is replaced by the words 'Corporate Counsel'.
2. That the figure '\$15,000' is deleted in clause 5(c) of By-Law No. CCL 89-001 and replaced by the figure '\$10,000'.
3. That this by-law take effect July 31, 1989.

PASSED AND ENACTED this 21st day of March 1989.


Chairman


Secretary

Approved
as to form

Regional
Solicitor

BILL NO.1448

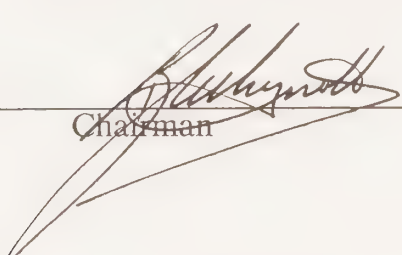
SAFETY SERVICE AND ADJUSTERS LIMITED
BY-LAW NO. SSA 89-002

Being a by-law to amend By-Law No. SSA 89-001

The Council of the Regional Municipality of
Hamilton-Wentworth, as the Board of Directors of
Safety Service and Adjusters Limited,
hereby enacts as follows:

1. That the word Solicitor is deleted where it appears in section 4 and clause 5(b) of By-Law No. SSA 89-001 and is replaced by the words Corporate Counsel .
2. That the figure \$15,000 is deleted in clause 5(c) of By-Law No. SSA 89-001 and replaced by the figure \$10,000 .
3. That this by-law take effect July 31, 1989.

PASSED AND ENACTED this 21st day of March 1989.


Chairman


Secretary

Approved
as to form

Regional
Solicitor

BILL NO. 1447

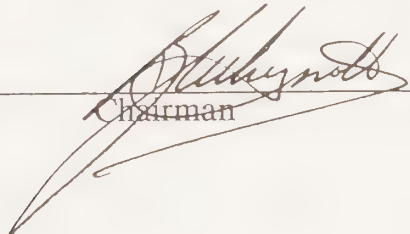
THE HAMILTON STREET RAILWAY COMPANY
BY-LAW NO. HSR 89-002

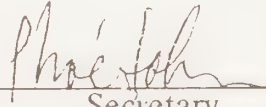
Being a by-law to amend By-Law No. HSR 89-001

The Council of the Regional Municipality of
Hamilton-Wentworth, as the Board of Directors of
The Hamilton Street Railway Company,
hereby enacts as follows:

1. That the word Solicitor is deleted where it appears in section 4 and clause 5(b) of By-Law No. HSR 89-001 and is replaced by the words Corporate Counsel .
2. That the figure '\$15,000' is deleted in clause 5(c) of By-Law No. HSR 89-001 and replaced by the figure '\$10,000' .
3. That this By-law take effect July 31, 1989.

PASSED AND ENACTED this 21st day of March 1989.


Chairman


Secretary

Approved
as to form

Regional
Solicitor

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-050

being a by-law to authorize the City of Hamilton to exercise powers pursuant to the provisions of Section 136, Subsection (2a) of The Regional Municipality of Hamilton-Wentworth Act.

WHEREAS pursuant to Subsection (2a) of Section 136, of The Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, c.437, as amended, the Council of The Regional Municipality of Hamilton-Wentworth may authorize the Council of the Corporation of the City of Hamilton to exercise powers conferred on the council of a municipality by paragraph 22 of Section 208 and paragraph 50 of Section 210 of The Municipal Act, R.S.O. 1980 c.302 as amended for such period and on such terms and conditions as the Regional Council considers desirable in respect to all or part of the lands contained in Schedule "A" attached to this by-law.

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. The Council of the Corporation of the City of Hamilton is authorized to exercise all the powers conferred on the council of a municipality by paragraph 22 of Section 208 and paragraph 50 of Section 210 of The Municipal Act, R.S.O. 1980 c. 302, as amended, in respect to all the lands contained in Schedule "A" to this by-law.
2. This authority is granted to and may be exercised by the City of Hamilton until such authority is revoked by the Council of the Regional Municipality of Hamilton-Wentworth pursuant to a by-law, duly enacted therefor.

This By-law shall come into force and take effect upon the passing and enactment thereof.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED this

4th day of April, 1989.

Chairman

Clerk

Approved
as to form
Regional
Solicitor

SCHEDULE "A"

1. Commencing at the south-eastern limit of Birch Avenue with its intersection of the northern limit of Brant Street;

Thence northeasterly along the south-eastern limit of the said Birch Avenue to its intersection with the southern limit of Burlington Street;

Thence easterly along the southern limits of Burlington Street to and across its intersections with Sherman Avenue, Alpha, Beta and Keele Streets to the northeast angle of Lot 54, according to Registered Plan No. 550;

Thence southerly along the eastern limit of lots 54 to 59, inclusive, according to Registered Plan No. 550 and its southerly production to its intersection with the southern limit of Canadian National Railways right-of-way;

Thence westerly along the southern limit of the said right-of-way to its intersection with the eastern limit of Lot 104, according to Registered Plan No. 159;

Thence southerly along the eastern limit of lots 104 and 103, according to Registered Plan No. 159, and its southerly production to the northeast corner of Lot 54, according to Registered Plan No. 159;

Thence southerly along the eastern limit of lots 54, 53, 52 and 51, according to Registered Plan No. 159, to the south-east corner of the said Lot 51, said corner being a point in the northern limit of Imperial Street;

Thence easterly along the northern limit of Imperial Street to its intersection with the northerly production of the eastern limit of Lot 11, according to Registered Plan No. 159;

Thence southerly along the said northerly production to and along the eastern limit of Lot 11 to the southeast corner thereof;

Thence westerly along the southern limit of lots 11, 10, 9, 8, 7, 6, 5, 4, 3 and 1, being the southern limit of Registered Plan No. 159 and its westerly production to its intersection with the western limit of Sherman Avenue;

Thence northerly along the western limit of said Sherman Avenue to its intersection of the northern limit of Brant Street;

Thence westerly along the northern limit of Brant Street to the point of commencement.

SCHEDULE "A" (page 2)

2. Commencing at the north-east corner of Lot 80 according to Registered Plan No. 606;

Thence southerly along the eastern limit of the said Lot 80 and its southerly production to the southern limit of Biggar Avenue;

Thence westerly along the southern limit of Biggar Avenue to a point directly opposite and at right angles to the south-west corner of Lot 92, according to Registered Plan No. 606;

Thence northerly to the said south-west corner of Lot 92;

Thence northerly to a point in the northern limit of said Lot 92, said point being the northern limit of Registered Plan No. 606;

Thence easterly along the said northern limit, also the northern limit of lots 92, 91, 90, 89, 88, 87, 86, 85, 84, 83, 82, 81 and 80 to the point of commencement.

3. Lots 24, 25, 26, 27 and 97 and all of Lancaster Street immediately abutting lots 27 and 97;

Lots 1 to 19, inclusive, and lots 361 to 380, inclusive, and all of Birmingham Street and Leeds Street south of Burlington Street;
All according to Bright Side Survey registered in the Land Registry Office at Hamilton as Plan No. 453.

4. Lots 412 to 461, inclusive, according to Industrial Park Survey, registered in the Land Registry Office at Hamilton as Plan No. 584.

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-051

BEING A BY-LAW TO APPOINT MEMBERS OF THE REGIONAL COURTS OF REVISION TO HEAR COMPLAINTS AGAINST PROPOSED SPECIAL ASSESSMENTS ON THE LANDS OF PRIVATE OWNERS IN THE AREA MUNICIPALITIES OF THE REGION ARISING FROM REGIONAL CAPITAL PROJECTS PURSUANT TO THE LOCAL IMPROVEMENT ACT.

WHEREAS Sections 96 and 97 of the Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, Chapter 437, as amended, enable the Regional Corporation to provide water and sewer services and the financing thereof pursuant to the provisions of any general or special Act, and

WHEREAS Section 43 of the Local Improvement Act, R.S.O. 1980, Chapter 250, as amended, provides for the Council of the Municipality to appoint members of a Court of Revision to hear complaints against a proposed special assessment made pursuant to the said Act,

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH HEREBY ENACTS AS FOLLOWS:

1. That a Regional Court of Revision is established and shall consist of five (5) members, being a Chairman, Vice-Chairman and three other members.
2. That one of the three (3) other members shall be a resident of the Area Municipality in which the Court shall from time to time conduct its Sittings and may be removed and replaced by Resolution of the Court of Revision.
3. That the said Court of Revision shall hold sittings in each of the Area Municipalities of the Region and when requested to do so by the Regional Chairman and hear and dispose of all complaints against any special assessment proposed by the Region, pursuant to the Local Improvement Act, against the private lands in that Area Municipality.
4. That the Chairman and Vice-Chairman of the Court of Revision shall not be member of the Council of any Area Municipality, nor a person against whom a special assessment has been levied which is to be considered by the Court of Revision.
5. That the three (3) members of the Court at Sittings shall constitute a quorum.

6. That members of the Court of Revision, other than members of Regional Council, shall be paid remuneration in accordance with Schedule "A" attached to this By-law and such remuneration may from time to time be amended by Resolution.
7. The Court shall apply in its decisions, in addition to the provisions of the Local Improvement Act, the policies respecting specially assessed lands that may from time to time be adopted by Regional Council.
8. The persons appointed to be members of the Regional Court of Revision are as set out on Schedule "B" attached to this By-law.
9. That Regional By-law 101-75, as amended, is hereby repealed.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED
this 4th day of April, 1989.

CHAIRMAN

CLERK

Approved
as to form

Regional
Solicitor

SCHEDULE "A" TO BY-LAW NO. R89-051

Remuneration to members of Court of Revision

	<u>Per diem stipend</u>
Chairman	- \$66.00
Vice-Chairman	- \$60.00
Member	- \$55.00
Member	- \$55.00
Member	- \$55.00

Disbursements for mileage @ \$0.24 per km.

Disbursements for parking, meals and accommodations, if required, at cost.

SCHEDULE "B" TO BY-LAW NO. R89-051

Chairman	-	Mr. Malcolm Cline (Hamilton)
Vice-Chairman	-	Mr. Roy Hannaford (Ancaster)
Member	-	Mr. Doug Welland (Flamborough)
Member	-	Mr. George Corner (Dundas)
Member	-	Mr. Russel Johnston (Glanbrook)
Member	-	Mr. Joseph Witfield (Stoney Creek)
Member	-	Ms. Ann Kuszczak (alternate Hamilton)

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-052

To confirm the proceedings of the Council at its meeting held on the following date:

THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. The Action of the Council at its meeting held on the 4th day of April, 1989, in respect of each recommendation contained in the Reports of its Committees.

<u>NAME</u>	<u>NO.</u>
Economic Development and Planning Committee Report	06-89
Engineering Services Committee Report	06-89 as amended
Finance and Personnel Committee Report	06-89 as amended
Freeway Steering Committee Report	04-89
Health and Social Services Committee Report	06-89
Information Systems Committee Report	03-89 as amended
Legislaton & Reception Committee Report	04-89

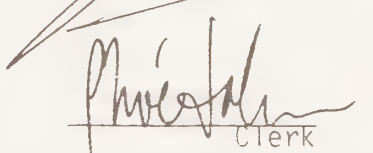
and Regional Officials

<u>NAME</u>	<u>NO.</u>
Chairman's Report	06-89 as amended

considered by Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the Council at its said meetings, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Chairman of the Council and the proper officials of the Regional Municipality are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and, except where otherwise provided, the Chairman, the Clerk and the Treasurer are hereby directed to execute all documents necessary in that behalf, and the Clerk is hereby authorized and directed to affix the Corporate Seal of the Regional Corporation to all such documents.

READ A FIRST, SECOND AND THIRD TIME and Finally Passed and Enacted this 4th, day of April, 1989.


Chairman

Clerk

AMENDMENT NO. 41
TO
THE REGION OF HAMILTON-WENTWORTH OFFICIAL PLAN
HAMILTON-WENTWORTH PLANNING AREA

March 1989

W.P. 3034P.

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R 89-053

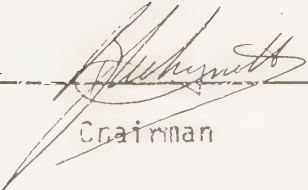
BEING A BY-LAW TO ADOPT AMENDMENT NO. 41 TO THE OFFICIAL PLAN FOR THE HAMILTON WENTWORTH PLANNING AREA ATTACHED TO AND FORMING PART OF REGIONAL BY-LAW NO. R80-094

The Council of the Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 17 and 21 of The Planning Act, S.O. 1983, Ch. 1, hereby enacts as follows:

1. THAT the text and schedules attached hereto and so designated are hereby adopted as Amendment No. 41 to the Official Plan for the Hamilton Wentworth Planning Area.
2. THAT the Clerk of the Region is hereby directed to forward Amendment No. 41 to the Official Plan for the Hamilton-Wentworth Planning Area, to the Minister of Municipal Affairs for approval.
3. THAT the Official Plan attached to and forming part of By-Law No. R80-094 is hereby amended by adding thereto the text and schedules attached hereto.
4. THAT this By-Law shall come into force and take effect on the date of its final passing.

READ a first, second, and third time and finally passed and enacted

this 18th day of April , 1989.


Chairman

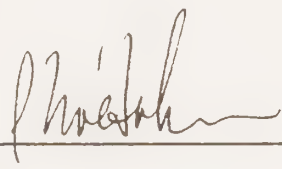

Clerk

TABLE OF CONTENTS

ADOPTING BY-LAW OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

PART I	THE CERTIFICATION
	CERTIFICATION PAGE
	APPROVAL PAGE OF THE MINISTER OF MUNICIPAL AFFAIRS
PART II	THE PREAMBLE
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2.	COMPONENTS OF THIS AMENDMENT
3.	PURPOSE
4.	LOCATION
5.	BASIS
PART III	THE AMENDMENT
1.	INTRODUCTION
2.	DETAILS OF THE AMENDMENT
3.	SCHEDULES
PART IV	APPENDIX MAP

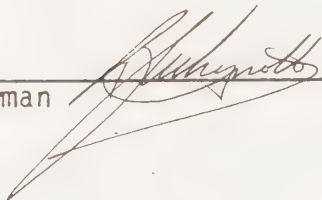
PART 1 THE CERTIFICATION

AMENDMENT NO. 41

TO THE REGION OF HAMILTON-WENTWORTH OFFICIAL PLAN
THE HAMILTON-WENTWORTH PLANNING AREA

Amendment No. 41 to the Region of Hamilton-Wentworth Official Plan, Hamilton-Wentworth Planning Area, consisting of the explanatory text and maps, was prepared by the Planning and Development Department of the Regional Municipality of Hamilton-Wentworth and adopted by Regional Council by By-law No. 89-053 in accordance with Section 17 of the Planning Act, S.O. 1983, Ch. 1, on the 18th day of April 1989.

Chairman



Clerk



PART II - THE PREAMBLE

1. TITLE

This Amendment shall be known as Amendment No. 41 to the Region of Hamilton-Wentworth Official Plan, Hamilton-Wentworth Planning Area.

2. COMPONENTS OF THIS AMENDMENT

Only that part of this document entitled "Part III - The Amendment", comprising the text and schedules, constitutes Amendment No. 41 to the Region of Hamilton-Wentworth official Plan, Hamilton-Wentworth Planning Area.

3. PURPOSE OF THIS AMENDMENT

This Amendment is intended to redesignate lands from "Rural Policy Area - Rural Area" to "Urban Policy Area - Industrial-Business Parks" (Airport), to permit airport related commercial uses in accordance with Policy 2.3.1(a) of the Official Plan.

4. LOCATION OF THE AMENDMENT

The lands affected by this Amendment comprising approximately 2.5 acres are located in Lot 6, Concession 1, in the former Township of Glanford, now in the Township of Glanbrook, being the north-east corner of Highway No. 6 and Alderlea Avenue.

The site is shown on the attached appendix Map being Part IV of this Amendment.

5. BASIS OF THIS AMENDMENT

The proposal constitutes a minor extension to the already designated industrial-business park area to the south of Highway No. 6.

PART III - THE AMENDMENT

1. INTRODUCTION

The whole of this part of the document entitled Part III - The Amendment, which consists of the following text and the attached maps designated Schedules "A", "B", and "C", constitutes Amendment No. 41 to the Region of Hamilton-Wentworth Official Plan, Hamilton-Wentworth Planning Area.

2. The Region of Hamilton-Wentworth Official Plan, Hamilton-Wentworth Planning Area is amended as follows:

Item No. 1 - Urban Policy Areas - Industrial Business Parks

Policy 2.3.1(a), as established by Amendment No. 15 to the Hamilton-Wentworth Official Plan, Hamilton-Wentworth Planning Area, is revised by:

- i) deleting the phrase:

"south of the Ontario Hydro Corridor and north of Twenty Road on both sides of Highway #6" in the second line and substituting:

- ii) "south of the Ontario Hydro and north of Twenty Road on the west side of Highway #6 and an area located approximately 250' south of the Hamilton/Glanbrook Municipal Boundary extending southerly to Twenty Road on the east side of Highway No. 6 in the Township of Glanbrook ..."

Item No. 2 - The Regional Development Pattern, Map No. 1

Map No. 1, the Regional Development Pattern, a portion of which is attached as Schedule "A", is amended by redesignating the identified lands from "Rural Policy Areas - Rural Area" to "Urban Policy Areas - Industrial-Business Parks".

Item No. 3 - Staging of Development, Map No. 6

Map No. 6, Staging of Development, a portion of which is attached as Schedule "B", is amended by changing the area designated "Urban Policy Areas - Industrial-Business Parks" in Item No. 1 from "Rural Area" to "Stage 1".

Item No. 4 - Agricultural Lands, Map No. 7

Map No. 7, as introduced in Amendment No. 17 to the Hamilton-Wentworth Official Plan, Hamilton-Wentworth Planning Area, is amended by deleting from the "Prime Agricultural Lands" (Canada Land Inventory Soil Classes 1 to 4) the area designated as "Urban Policy Areas - Industrial-Business Parks" in Item No. 1.

APPENDIX MAP
TO AMENDMENT NO. 41
TO THE REGION OF HAMILTON-WENTWORTH OFFICIAL PLAN
HAMILTON-WENTWORTH PLANNING AREA



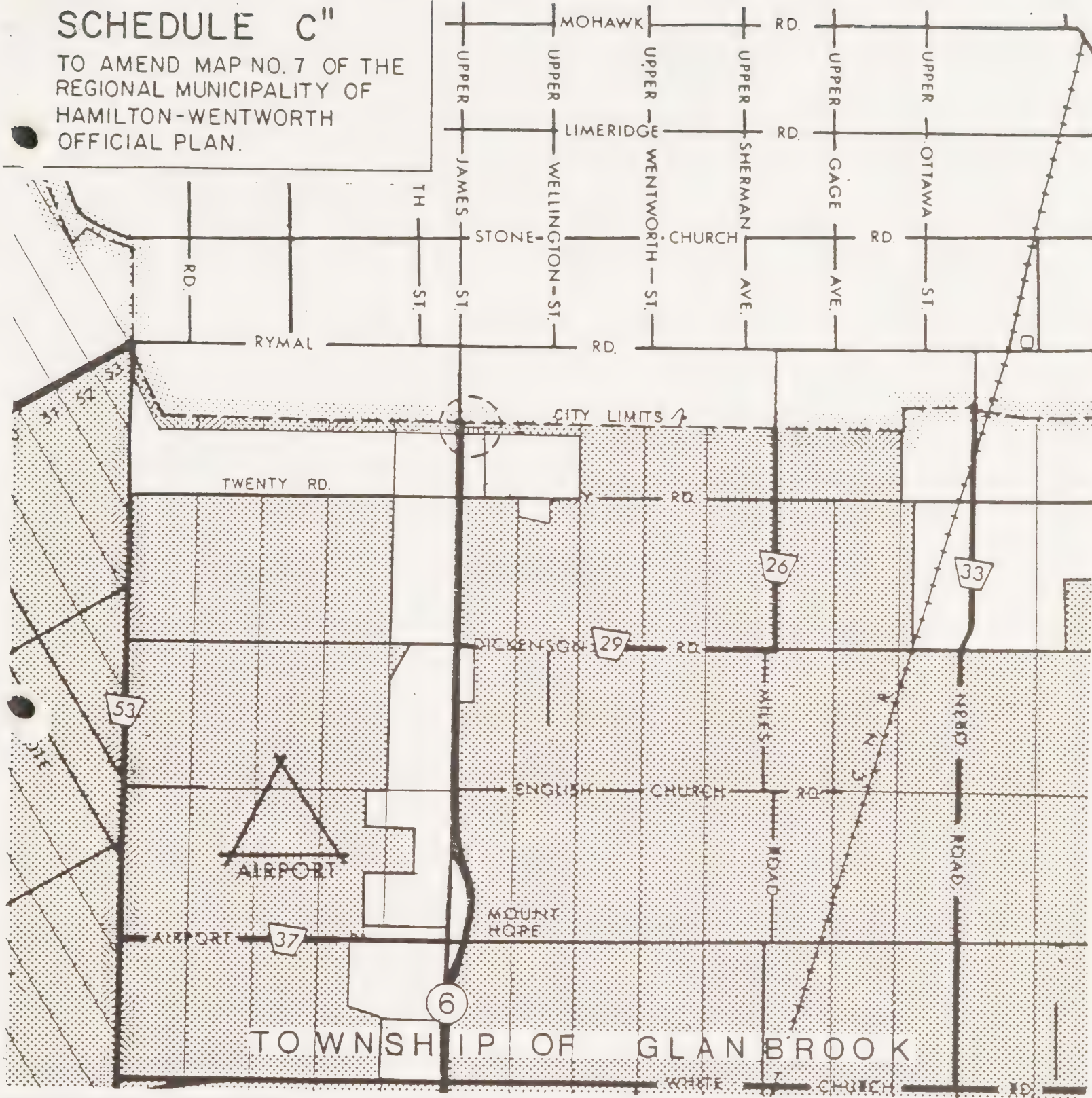
PLAN SHOWING
PART OF LOTS 5 & 6 CON. 1
FORMERLY TOWNSHIP OF GLANFORD
NOW IN THE
TOWNSHIP OF GLANBROOK



LANDS AFFECTED BY OFFICIAL PLAN AMENDMENT NO. 41

SCHEDULE C"

TO AMEND MAP NO. 7 OF THE
REGIONAL MUNICIPALITY OF
HAMILTON-WENTWORTH
OFFICIAL PLAN.



LEGEND

PRIME AGRICULTURAL LANDS

(Canada Land Inventory Soil Classes 1,2,3 & 4)



AREA TO BE REMOVED FROM
PRIME AGRICULTURAL LAND DESIGNATION

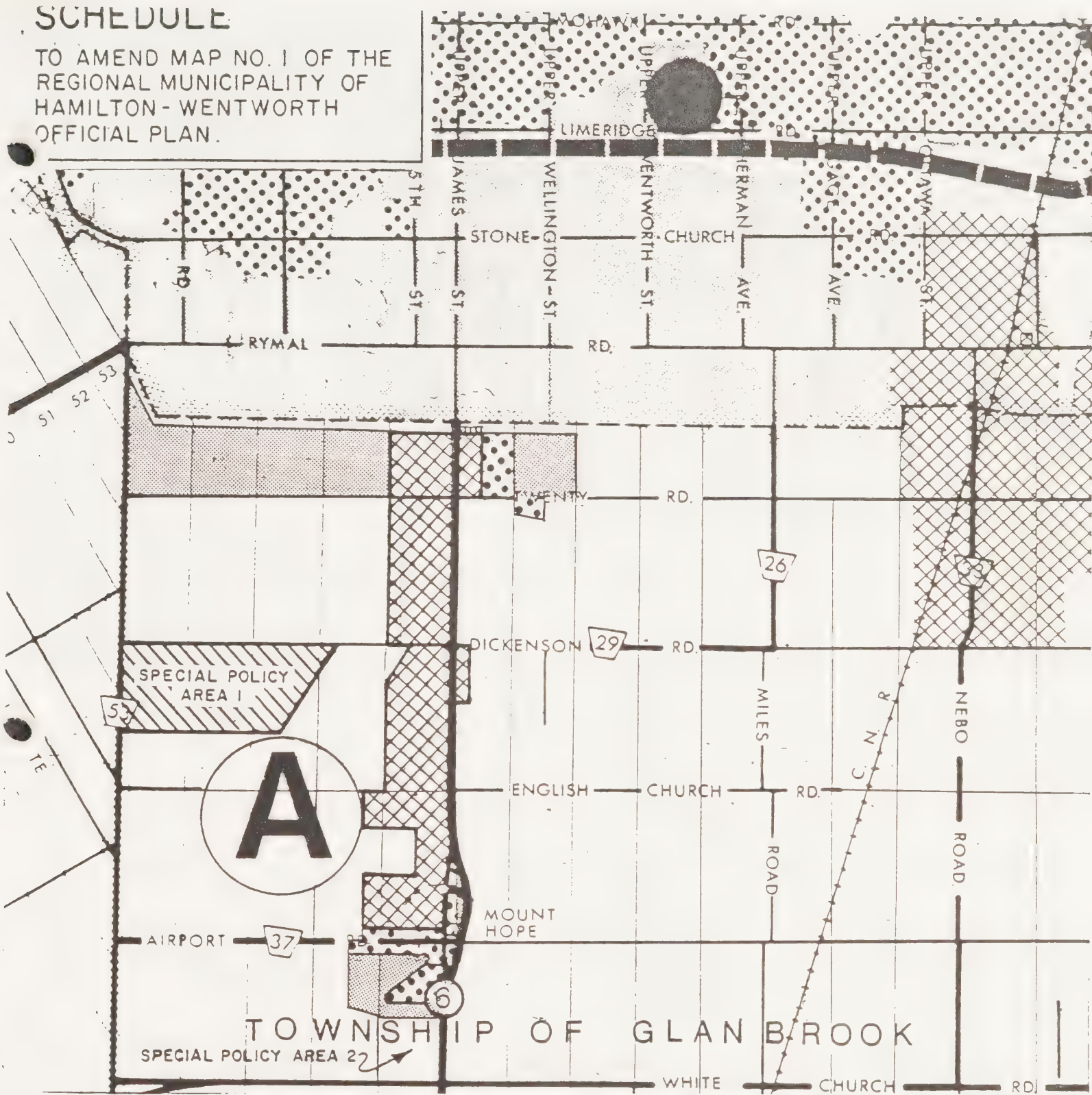


Planning and Development Department
Hamilton-Wentworth Region

PART IV
THE APPENDIX

SCHEDULE

TO AMEND MAP NO. 1 OF THE
REGIONAL MUNICIPALITY OF
HAMILTON - WENTWORTH
OFFICIAL PLAN.



LEGEND

URBAN POLICY AREAS

Existing Development

PROPOSED DEVELOPMENT

Residential & Related Uses

Industrial-Business Parks

Special Policy Area 1
Deferred Development (Policy 2.3.6.4.)

RURAL POLICY AREAS

Rural Area

Rural Settlements

Airport

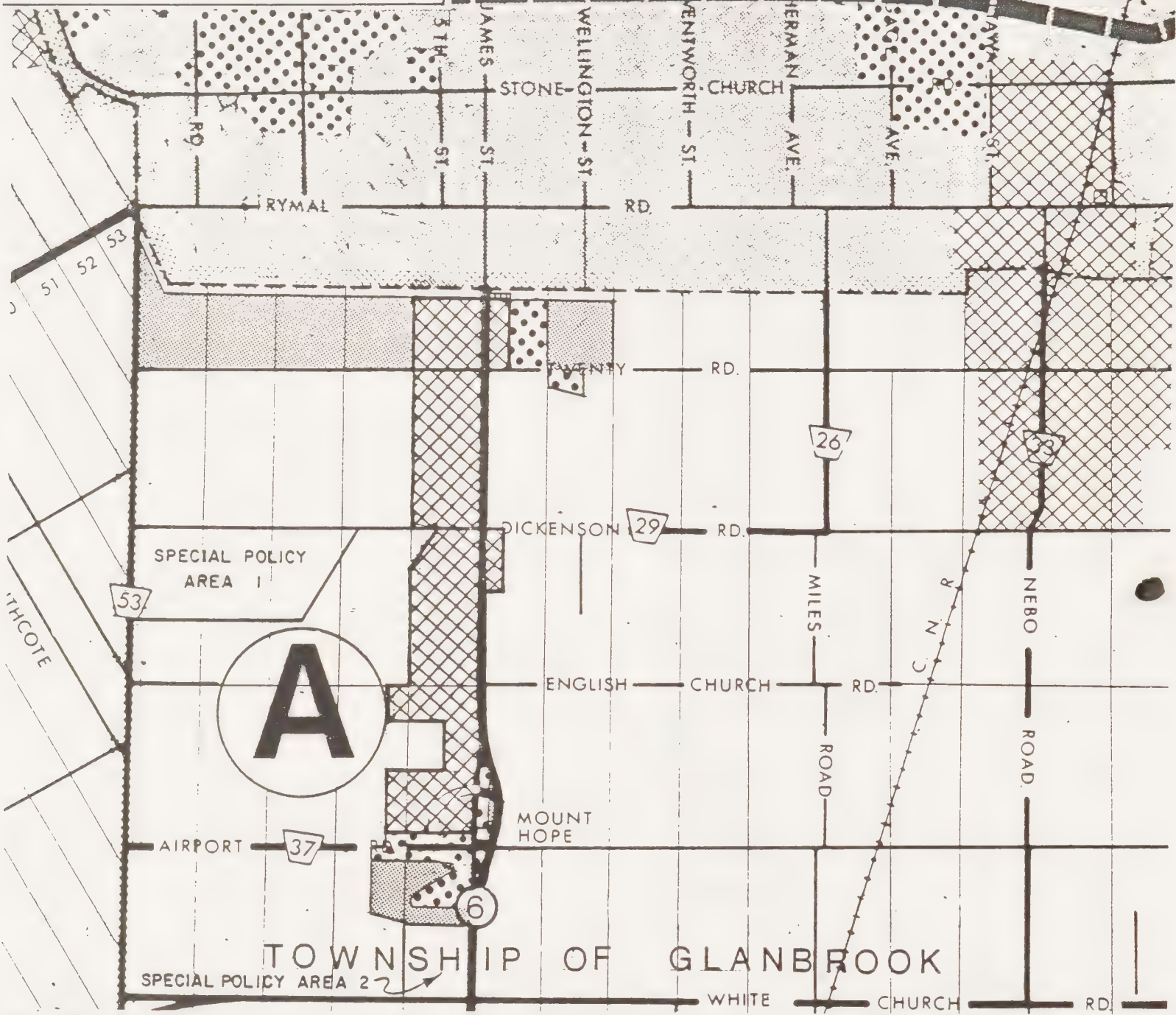
Change From Rural Areas To Urban Policy Area - Industrial-Business Parks.



Planning and Development Department
Hamilton-Wentworth Region

SCHEDULE "A"

TO AMEND MAP NO. 6 OF THE
REGIONAL MUNICIPALITY OF
HAMILTON-WENTWORTH
OFFICIAL PLAN.



LEGEND

URBAN POLICY AREAS

Existing Development

PROPOSED DEVELOPMENT

Residential & Related Uses

Industrial-Business Parks

LANDS
WITHIN
STAGE 1

Airport

RURAL POLICY AREAS

Rural Area

Change From Rural Area
To Stage 1

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89- 054

TO AMENDBY-LAW NO. 89-038 TO REGULATE TRAFFIC

WHEREAS Section 36(1) of the Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, Ch. 437 as amended, confers upon the Regional Municipality of Hamilton-Wentworth, with respect to the roads in the Regional Road System and the regulation of traffic thereon, all the powers conferred upon the council or corporation of the city by the Municipal Act, the Highway Traffic Act and any other Act with respect to highways; and

WHEREAS Section 210 (117) of the Municipal Act, R.S.O. 1980, Chapter 302, as amended, confers upon the Councils of the local municipalities the power to pass by-laws for regulating traffic on highways subject to the Highway Traffic Act; and

WHEREAS Section 315(7) of the said Municipal Act confers upon the councils of all municipalities the power to pass by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purposes of guiding and directing traffic; and

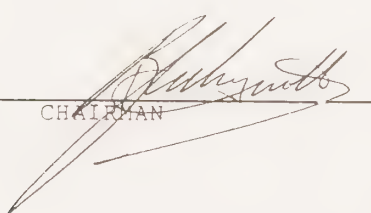
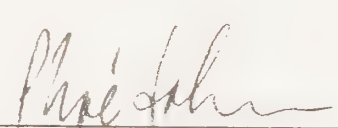
WHEREAS it is deemed advisable that the regulations pertaining to traffic on certain highways under the jurisdiction of the Regional Municipality of Hamilton-Wentworth be amended;

NOW THEREFORE, THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

- 1) Schedule 25 (Stop Signs) of By-Law R89-038 passed and enacted on the 21st day of March, 1989, is hereby amended by adding thereto the following item namely:

"Barton Street	Eastbound	"Barton Street and
(Regional Road No. 424)	Westbound	Fruitland Road"
- 2) In all other respects, By-Law R89-038 and Schedules thereto are hereby confirmed, unchanged.
- 3) This By-Law shall come into force and take effect on the date of its passing and enactment.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED
this 18th day of April, 1989


CHAIRMAN
CLERK

Approved
as to form

Regional
Solicitor

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89- 055

TO AMENDBY-LAW NO. R89-038 TO REGULATE TRAFFIC

WHEREAS Section 36(1) of the Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, Ch. 437 as amended, confers upon the Regional Municipality of Hamilton-Wentworth, with respect to the roads in the Regional Road System and the regulation of traffic thereon, all the powers conferred upon the council or corporation of a city by the Municipal Act, the Highway Traffic Act and any other Act with respect to highways; and

WHEREAS Section 210(117) of the Municipal Act, R.S.O. 1980, Chapter 302, as amended, confers upon the councils of the local municipalities the power to pass by-laws for regulating traffic on highways subject to the Highway Traffic Act; and

WHEREAS Section 315(7) of the said Municipal Act confers upon the councils of all municipalities the power to pass by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purposes of guiding and directing traffic; and

WHEREAS it is deemed advisable that the regulations pertaining to traffic on certain highways under the jurisdiction of the Regional Municipality of Hamilton-Wentworth be amended;

NOW THEREFORE, THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. Schedule 2 (Maximum Speed Limits on certain Regional Roads) of By-Law R89-038 passed and enacted on the 21st day of March, 1989 is hereby amended by deleting from Section D the following items, namely:

* 536 Carlisle Road	1268 metres south-west of Centre Road	870 metres north-east of Centre Road	60
536 Carlisle Road	Highway #6	1268 metres south-west of Centre Road	80
536 Carlisle Road	870 metres north-east Centre Road	East of Region of Hamilton-Wentworth Boundary	80
508 Centre Road	833 metres north-west of Carlisle Road	1368 metres south-east of Carlisle Road	60
508 Centre Road	200 feet north Northlawn Avenue	1368 metres south-east of Carlisle Road	80
508 Centre Road	833m north-west of Carlisle Road	Campbellville Road	80"

Cont'd...

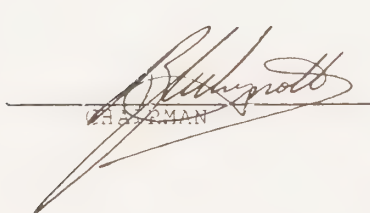
Cont'd...

and by adding thereto the following items namely:

"536 Carlisle Road	900 metres north-east of Hwy. No. 6	East Region of Hamilton-Wentworth Boundary	60
536 Carlisle Road	Hwy. No. 6	900 metres north-east of Hwy. No. 6	70
508 Centre Road	61 metres north of Northlawn Avenue	900 metres south-east of Concession 8 East	80
508 Centre Road	900 metres south-east of Concession 8 East	1368 metres south-east of Carlisle Road	70
508 Centre Road	1368 metres south-east of Carlisle Road	50 metres north of Concession 10 East	60
508 Centre Road	50 metres north of Concession 10 East	Campbellville Road	80"

2. In all other respects, By-Law R89-038 and Schedules thereto are hereby confirmed, unchanged.
3. This By-Law shall come into force and take effect on the date of its passing and enactment.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED

this 18th day of April 1989.


CHAIRMAN



CLERK

Approved
as to form
Loe
Regional
Solicitor

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-056BEING A BY-LAW TO PRESCRIBE A FEE FOR
THE PROCESSING OF SUBDIVISION/CONDOMINIUM APPLICATIONS

WHEREAS The Regional Municipality of Hamilton-Wentworth is empowered by Section 68(1) of The Planning Act, S.O. 1983, Ch. 1, as amended, to prescribe a tariff of fees for the processing of applications made in respect of planning matters; and

WHEREAS Regional Council did approve Item 2 of Finance and Personnel Committee Report 13-88 on December 20, 1988.

AND WHEREAS Regional Council did approve Item 4 of Finance and Personnel Committee Report 7-89 on April 18, 1989 to approve a by-law to prescribe a fee for the processing of subdivision/condominium applications.

NOW THEREFORE, the Council of The Regional Municipality of Hamilton-Wentworth enacts as follows:

1. That a fee in the amount of \$100 per lot be levied for the processing of subdivision applications effective January 1, 1989.
2. That a fee in the amount of \$100 per unit be levied for the processing of condominium applications effective on the date of passing and enactment of this By-law.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED

this 18th day of April, 1989 .


CHAIRMAN
CLERK

Approved
as to form

Regional
Solicitor

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-057

Being a By-Law to amend By-Law R79-109 by
adding a Road to the Regional Road System
Golf Links Road - Town of Ancaster

WHEREAS Regional Council on June 5, 1979, passed and enacted By-Law R79-109, being a By-Law to consolidate all By-Laws with respect to roads included in the Regional Road System; and,

WHEREAS Subsection 2 of Section 26 of the Regional Municipality of Hamilton-Wentworth Act, R.S.O.1980 c.437, as amended, provides in part that:

"The Regional Council may, by by-law, from time to time, add roads to or remove roads from the regional road system..."

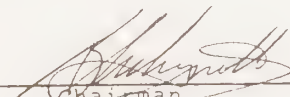
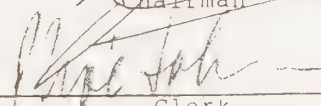
NOW THEREFORE, THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. Schedule "A" of By-Law No. R79-109 passed on the 5th day of June, 1979, being the last By-Law consolidating all By-Laws with respect to roads included in the Regional Road System, as amended by By-Law No. R80-132, R80-133, R80-136, R81-178, R81-179, R82-057, R82-113, R84-020, R84-021, R84-104, R85-039 and R86-075 is hereby amended by:
 - a) adding thereto the plan numbered 260-1, attached hereto as Schedule "A", being the road known as Golf Links Road.
2. Schedule "A" attached to this By-Law is part of this By-Law.
3. This By-Law shall come into force and take effect upon and to the extent of the approval thereof by the Lieutenant Governor in Council.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED this 18th day of April, 1989.

Approved
 as to form

 Regional
 Solicitor


 Chairman

 Clerk

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89- 058

Being a By-Law to: Delete a Road from the Regional Road System
Old Mohawk Road - Town of Ancaster

WHEREAS Subsection 1 of Section 26 of The Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, c.437, as amended, provides that:

"On and after the 1st day of January, 1974, all roads on the 31st day of December, 1973, under the jurisdiction and control of the County of Wentworth and the Hamilton-Wentworth Suburban Roads Commission shall constitute the regional road system."

AND WHEREAS Subsection 2 of Section 26 of the said Regional Municipality of Hamilton-Wentworth Act provides in part that:

"The Regional Council may by by-law from time to time add roads to or remove roads from the regional road system..."

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. The Regional Road system as established by the Regional Municipality of Hamilton-Wentworth Act is hereby amended by removing therefrom all that portion of road and the deviation thereof known as Old Mohawk Road.
2. This By-Law shall come into force and take effect upon and to the extent of the approval thereof by the Lieutenant Governor in Council.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED this 18th day of April , 1989.

Approved
as to form
COE
Regional
Solicitor

[Signature]
Chairman
[Signature]
Clerk

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-059

BEING A BY-LAW TO LEVY AGAINST THE AREA MUNICIPALITIES OF THE REGION SUMS OF MONEY REQUIRED FOR THE YEAR 1989 FOR GENERAL, LIBRARY, STORM SEWERS AND TRANSIT PURPOSES OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH.

INTRODUCTION

WHEREAS Subsection 100(1) of the Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, C.437, as amended, provides that the Regional Council shall in each year prepare and adopt estimates of all sums required during the year for the purposes of the Regional Corporation, including the sums required by law to be provided by the Regional Council for any local board of the Regional Corporation, and

WHEREAS, the Regional Council, at its meeting of the fourth of April, 1989, adopted the report of the Finance and Personnel Committee which provided that the 1989 Operating Budget, excluding the Wentworth Library Board Budget, be approved, and

WHEREAS, the Regional Council at its meeting of eighteenth of April, 1989, adopted the report of the Finance and Personnel Committee which provided that the 1989 Wentworth Library Board Budget be approved to form the 1989 Operating Budget as shown on Schedule "A", attached hereto, and

WHEREAS Subsections 101(1)(a)(b) of the said Regional Municipality of Hamilton-Wentworth Act provide that Council of the Regional Corporation in each year shall levy against the area municipalities of the Region a sum of money sufficient to pay for its estimated current annual expenditures and debts falling due within the year 1989 and to provide for sinking funds and principal and interest payments or sinking fund requirements for the debenture debt of the area municipalities for which the Regional Corporation is liable, and

GENERAL LEVY

WHEREAS Section 101 of the said Regional Municipality of Hamilton-Wentworth Act provides that the Council shall direct the portion of the sums of money required by it pursuant thereto, to be levied against each area municipality in the proportion that the whole rateable property in each area municipality bears to the whole rateable property in the Regional area according to the last revised Assessment Roll, as returned, discounted and equalized by the Ministry of Revenue pursuant to Section 101(4)(5), as amended, of the Regional Municipality of Hamilton-Wentworth Act, and

WHEREAS Subsection 149(3) of the said Regional Municipality of Hamilton-Wentworth Act provides for the prescribing rates or charges for the use of waste disposal sites, and

WHEREAS, the Regional Corporation by By-law R81-146 did confirm the proceedings of its Council meeting dated October 6, 1981, which adopted Item 7 of the Finance Committee Report recommending that each of the area municipalities be charged a user fee based upon the previous calendar year's waste disposed, subject to each area municipality's Council approval, and that this fee will form part of the Regional Levy for solid waste with the balance of the net cost to be levied based upon equalized assessment, and

WHEREAS, the Councils of each area municipality did agree to the above method of levying costs of the solid waste disposal system, and

WHEREAS, the estimated sums of money required to be levied for the general purposes of the Regional Corporation for 1989, exclusive of the charges for library services, storm sewer and transit purposes, and after allowance for Provincial grants, is as set forth in column 4 of Schedule "B", attached hereto, and

LIBRARY LEVY

WHEREAS, the monies required to be levied for library purposes is as set forth in column 5 of Schedule "B", attached hereto, which amount, pursuant to Order in Council No. 146/74, is to be apportioned among the area municipalities of the Town of Ancaster, the City of Stoney Creek, the Town of Flamborough and the Township of Glanbrook in the proportion that the whole of the rateable property in each said area municipality bears to the whole of the rateable property of the said area municipalities pursuant to the last revised Assessment roll, as returned, discounted and equalized by the Ministry of Revenue, and

STORM SEWER LEVY

WHEREAS, the Regional Corporation by By-law 5-74 did confirm the proceedings of its Council meeting dated February 5, 1974, which adopted Item 8 of the Second Report of the Engineering Services Committee recommending the approval of the Report on the initial assumption, operating and financing of Regional roads, water, sewage, storm sewer, and solid waste disposal works, which provided for expenditures for storm sewers in the City of Hamilton to be paid by the taxpayers in the City, and

WHEREAS Subsections 97(4) and (13) of the said Regional Municipality of Hamilton-Wentworth Act provide for the Regional Corporation to require the Corporation of the City of Hamilton to collect sums of money required for storm sewer purposes by general rate without the approval of the Ontario Municipal Board, and

WHEREAS, the sum as set forth in column 6 of Schedule "B", attached hereto, is required for storm sewer purposes in the City of Hamilton, and

TRANSIT LEVY

WHEREAS Subsection 54(1) of the said Regional Municipality of Hamilton-Wentworth Act provides for the levy on the area municipalities within the Urban Transit Area, the sums required to meet the deficit arising out of the operation of the Regional Public Transportation System in the Urban Transit Area, and

WHEREAS Subsection 53(1) of the said Regional Municipality of Hamilton-Wentworth Act provides for the City of Hamilton to be established as the Urban Transit Area, and

WHEREAS, the Minister has not altered the Urban Transit Area, and

WHEREAS, The Regional Municipality of Hamilton-Wentworth has, therefore, determined that a deficit, as set forth in column 7 of Schedule "B" attached hereto, will be incurred in the Urban Transit Area after allowing for Provincial subsidies, and

INTERIM LEVY

WHEREAS, an interim levy, pursuant to Subsection 103(1) of the said Regional Municipality of Hamilton-Wentworth Act, against each area municipality authorized by Regional By-law No. R89-025, as shown in column 9 of Schedule "B", has been credited to each such area municipality, resulting in a net total levy against each area municipality in the amount set out in column 10 of Schedule "B", attached hereto.

NOW, THEREFORE, THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. It is hereby directed that the portion of the sum of seven million, three hundred and nineteen, five hundred and thirty-five dollars (\$7,319,535), for the provision of a solid waste disposal system, as shown in column 3 of Schedule "B", attached hereto, be levied against each area municipality as shown in Column 1 of Schedule "B", for the year 1989.
2. It is hereby directed that the portions of the sum of ninety-three million, six hundred and seventy-one thousand, nine hundred and thirty dollars (\$93,671,930), be levied against each area municipality as shown in column 1 of Schedule "B", for the year 1989, in the respective amounts as shown in column 2 of Schedule "B", attached hereto.
3. It is hereby directed that the sum of one million, five hundred and ninety-one thousand, nine hundred and eighty dollars (\$1,591,980), be levied against the area municipalities of the Town of Ancaster, the Town of Flamborough, the Township of Glanbrook and the City of Stoney Creek, as shown in column 1 of Schedule "B", for library services for the year 1989 in the respective amounts as shown in column 5 of Schedule "B" attached hereto.

4. It is hereby directed that the sum of four million, eight hundred and twenty-three thousand, five hundred and sixty dollars (\$4,823,560), for the operation and maintenance of the storm sewer system, including principal and interest payments on debentures, for the year 1989, as shown in column 6 of Schedule "B", attached hereto, be levied against the rateable property and business assessment within the City of Hamilton only, and the area municipality of the City of Hamilton is required to collect this sum by means of a general rate on City property.
5. It is hereby directed that the sum of ten million, nine hundred and sixty-eight thousand, five hundred and two dollars (\$10,968,502), for the provision of transit services in the Urban Transit Area for the year 1989, as shown in column 7 of Schedule "B", attached hereto, be levied against the rateable property and business assessment within the City of Hamilton only, and the area municipality of the City of Hamilton is required to collect this sum by means of a general rate on City property.
6. It is hereby directed that the sums of money levied against the area municipalities as an interim levy under By-law No. R89-025, as shown in column 9 of Schedule "B", attached hereto in the amount of fifty-three million, two hundred and eighty-three thousand, dollars (\$53,283,000), be deducted from the totals levied against the said area municipalities for the year 1989, as shown in column 8 of Schedule "B", attached hereto, resulting in a final levy against each area municipality, as shown in column 10 of Schedule "B", attached hereto.
7. The Treasurer of each area municipality, shown in column 1 of Schedule "B", attached hereto, shall pay to the Treasurer of the Regional Corporation, the sums of money levied hereunder against each area municipality as shown in column 10 of Schedule "B", attached hereto, in five equal installments due and payable on the 15th days of July, August, September, October and November in the year 1989.
8. In the event that any of the said area municipalities fail to make any payment as provided for in Section 6 of this By-law, interest on the sums of money due and payable at a rate per annum equivalent to that which would have been charged to the Region at the prime rate of the Region's Banker, not to exceed 15% shall be added thereto until payment with interest is made.
9. Schedules "A" and "B", attached to this By-law, form part of this By-law.

Read a First, Second and Third Time and Finally Passed and Enacted this 18th day of April 1989.


CHAIRMAN

Approved
as to form

Regional
Solicitor


CLERK

1989 OPERATING BUDGET
SUMMARY OF GROSS AND NET EXPENDITURES

	1989 GROSS BUDGET ----- (\$)	1989 NET BUDGET ----- (\$)
CURRENT EXPENDITURE -----		
GENERAL GOVERNMENT	16,608,250	10,396,250
PROTECTION TO PERSONS	54,340,700	53,334,900
TRANSPORTATION	99,080,758	33,256,402
ENVIRONMENTAL	77,207,185	12,610,580
HEALTH	15,256,800	4,625,840
SOCIAL & FAMILY	84,286,907	20,751,124
RECREATIONAL & CULTURAL	5,728,884	5,223,044
PLANNING & DEVELOPMENT	6,637,270	4,403,430
CONTINGENCY	2,182,000	2,182,000
	-----	-----
TOTAL EXPENDITURE	361,328,754	146,783,570
	-----	-----
CURRENT REVENUE -----		
REGIONAL LEVIES		
GENERAL LEVY	100,991,465	100,991,465
TRANSIT LEVY	10,968,502	10,968,502
STORM LEVY	4,823,560	4,823,560
LIBRARY LEVY	1,591,980	1,591,980
	-----	-----
TOTAL LEVIES	118,375,507	118,375,507
GOVERNMENT GRANTS		
UNCONDITIONAL	28,173,573	24,946,163
CONDITIONAL	85,375,005	---
	-----	-----
TOTAL GRANTS	113,548,578	24,946,163
REVENUE FROM USERS		
WATER RATES	20,318,000	---
SEWER RATES	22,455,000	---
FARES, FEES & SERVICE CHARGES	67,273,588	---
BILLINGS TO AREA MUNICIPALITIES	10,263,826	---
	-----	-----
TOTAL REVENUE FROM USERS	120,310,414	0
OTHER REVENUE SOURCES		
TRANSFER FROM RESERVES	2,966,815	---
RECOVERY FROM CAPITAL	2,665,540	---
PREVIOUS YEAR'S SURPLUS	3,461,900	3,461,900
	-----	-----
OTHER REVENUE SOURCES	9,094,255	3,461,900
	-----	-----
TOTAL REVENUE	361,328,754	146,783,570
	-----	-----

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
1989 REGIONAL LEVY SUMMARY

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
AREA MUNICIPALITY	NET GENERAL LEVY	SOLID WASTE LEVY	GENERAL LEVY	LIBRARY LEVY	STORM SEWER LEVY	TRANSIT LEVY	TOTAL LEVY	LEVIED UNDER BY-LAW 89-025	LEVIED UNDER THIS BY-LAW
ANCASTER	4,188,072	360,443	4,548,515	303,240	0	0	4,851,755	2,173,626	2,678,129
DUNDAS	3,512,697	318,306	3,831,003	0	0	0	3,831,003	1,741,757	2,089,246
FLAMBOROUGH	5,758,014	431,339	6,189,353	416,860	0	0	6,606,213	3,052,348	3,553,865
GLANBROOK	1,866,882	152,630	2,019,512	135,127	0	0	2,154,639	1,017,252	1,137,387
HAMILTON	68,169,747	5,356,238	73,525,985	0	4,823,560	10,968,502	89,318,047	40,073,866	49,244,181
STONE CREEK	10,176,518	700,579	10,877,097	736,753	0	0	11,613,850	5,224,151	6,389,699
	93,671,930	7,319,535	100,991,465	1,591,980	4,823,560	10,968,502	118,375,507	53,283,000	65,092,507

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-060

To confirm the proceedings of the Council at its meeting held on the following date:

THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. The Action of the Council at its meeting held on the 18th day of April, 1989, in respect of each recommendation contained in the Reports of its Committees.

<u>NAME</u>	<u>NO.</u>
Special Airport Committee Report	04-89 as amended
Economic Development and Planning Committee Report	07-89
Engineering Services Committee Report	07-89 as amended
Finance and Personnel Committee Report	07-89 as amended
Freeway Steering Committee Report	04-89
Health and Social Services Committee Report	07-89
Transportation Services Committee Report	04-89

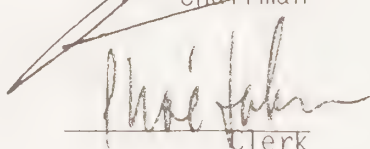
and Regional Officials

<u>NAME</u>	<u>NO.</u>
Chairman's Report	07-89 as amended

considered by Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the Council at its said meetings, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Chairman of the Council and the proper officials of the Regional Municipality are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and, except where otherwise provided, the Chairman, the Clerk and the Treasurer are hereby directed to execute all documents necessary in that behalf, and the Clerk is hereby authorized and directed to affix the Corporate Seal of the Regional Corporation to all such documents.

READ A FIRST, SECOND AND THIRD TIME and Finally Passed and Enacted this 18th, day of April, 1989.


Chairman

Clerk

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-061To Permit the Erection and Maintenance of
Objects Upon a Regional Road

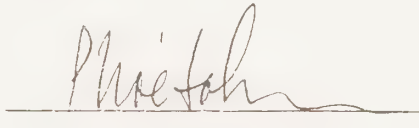
WHEREAS Section 309(3) of the Municipal Act, R.S.O. 1980, Chapter 302, as amended, provides that the Council of every municipality may pass by-laws for permitting any person to place, construct, install, maintain, and use objects in, on, under, or over highways under such conditions as may be agreed upon for prescribed the terms and conditions upon which the same are to be placed, constructed, installed, maintained, or used, and for making such annual or other charge for the privilege conferred by the by-law as it considers reasonable,

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. The applicant, Mr. Francesco Taormina, being the Owner of the premises at 553 Cannon Street East, Hamilton, is hereby granted the privilege of erecting and maintaining the concrete steps measuring 0.476 m X 1.05 m upon the highway allowance of Cannon Street East upon the terms and conditions contained in the agreement hereto as Schedule I.
2. The Regional Chairman, Regional Clerk and Regional Treasurer are hereby authorized to sign and execute all necessary documents to implement this By-law.
3. Schedule I attached to this By-law is included in and shall be considered part of this By-law.
4. This By-law shall come into force and take effect on the date of its passing and enactment.

READ A FIRST, SECOND and THIRD TIME and FINALLY PASSED and ENACTED

this second day of May 1989.


CHAIRMAN
CLERK

Approved
as to form

Regional
Solicitor

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89- 062

To exempt the occupiers of certain shops from the provisions
of the Regional Store Closing By-law R79-202.

WHEREAS upon application of certain shops outlined on Schedule "A" to this By-law, it has been recommended by the Regional Legislation and Reception Committee that such shops be exempt from the store closing hours on the dates and at the times indicated.

NOW THEREFORE the Council of the Regional Municipality of Hamilton-Wentworth ENACTS AS FOLLOWS:

1. THAT the occupiers of the shops named on Schedule "A" attached to this by-law are hereby exempt from the closing provisions of Section 2(1) (b) of Regional By-law No. R79-202 and may remain open for business on the dates and at the times indicated.
2. THAT all other provisions of Regional By-law No. R79-202 are to remain in full force and effect for the shops described in Schedule "A" of this By-law.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED
this second day of May, 1989.

Chairman

Clerk

(2)

SCHEDULE "A"

TO BY-LAW NO. R89-

Shops referred to in By-law No. R89- and located at the respective locations.

THAT the following retail shop(s) in the area municipality of Dundas be exempted from Regional By-law No. R79-202 for the purpose of holding a special sale on the date(s) and at the time(s) indicated:

1. DUNDAS Friday, May 26, 1989
B.Y.A. 9:00 p.m. to 11:59 p.m.

The Carnegie Gallery ✓
10 King Street
Dundas, Ontario
L9H 1T7

Conron & Johnson
Optometrists Office
16 King Street
Dundas, Ontario

Mills Real Estate
20 King Street
Dundas, Ontario

Flemings Bakery
22 King Street
Dundas, Ontario
L9H 1T7

The Horn of Plenty ✓
24 King Street
Dundas, Ontario
L9H 1T7

Holmes Quality Meats
26 King Street
Dundas, Ontario
L9H 1T7

Litzen's Sports Centre
28 King Street
Dundas, Ontario
L9H 1T7

Picone's
24 King Street
Dundas, Ontario

DUNDAS
B.I.A.
Cont'd

Friday, May 26, 1989
9:00 p.m. to 11:59 p.m.

99 Cent Store
38 King Street
Dundas, Ontario

Lillian's
40 King Street
Dundas, Ontario

Video Station
44 King Street
Dundas, Ontario
L9H 1T7

Super Submarine
48 King Street
Dundas, Ontario

Dundas Paint & Wallpaper
50 King Street
Dundas, Ontario
L9H 1T8

Staley Shoes
56 King Street
Dundas, Ontario
L9H 1T8

Standard Trust
60 King Street
Dundas, Ontario
L9H 1T8

Doctors Office
62 King Street
Dundas, Ontario

The Livery ✓
66 King Street
Dundas, Ontario
L9H 1T8

Royal Bank
70 King Street
Dundas, Ontario
L9H 5E7

DUNDAS
B.I.A.
Cont'd

Friday, May 26, 1989
9:00 p.m. to 11:59 p.m.

Canada Trust
82 King Street
Dundas, Ontario
L9H 5G1

Curry, Elkin & Kelly
84 King Street
Dundas, Ontario

O'Heron Family Medical
90 King Street
Dundas, Ontario
L9H 1T9

Creative Jewellery
92 King Street
Dundas, Ontario
L9H 2V6

Backwater Trails
94 King Street
Dundas, Ontario
L9H 1T9

State Farm Insurance
96 King Street
Dundas, Ontario
L9H 5G1

Mini Wheels
98 King Street
Dundas, Ontario
L9H 1T9

Royal Pizza
100 King Street
Dundas, Ontario

Mr. Bones
N/A
Dundas, Ontario

The Espresso
102 King Street
L9H 1T9

DUNDAS
B.I.A.
Cont'd

Friday, May 26, 1989
9:00 p.m. to 11:59 p.m.

Post Office
N/A King Street
Dundas, Ontario

Eccles Garage
112 King Street
Dundas, Ontario

Valley Press
Printing
114 King Street
Dundas, Ontario

H & R Block
N/A
Dundas, Ontario

Carey's
120 King Street
Dundas, Ontario

Joe's Align. & Brake
Service
N/A
Dundas, Ontario

P & S Automotion
130 King Street
Dundas, Ontario

Dundas Downtown B.I.A.
132 B King Street
Dundas, Ontario
L9H 1B2

Christine's Hair Design
132 C King Street
Dundas, Ontario
L9H 1V2

Laurien Fashions
134 King Street
Dundas, Ontario

DUNDAS
B.I.A.
Cont'd

Friday, May 26, 1989
9:00 p.m. to 11:59 p.m.

Valley City Variety
136 King Street
Dundas, Ontario

Mills Tire
138 King Street
Dundas, Ontario

Thompson Signs
140 King Street
Dundas, Ontario

Frosty's Fish & Chips
142 King Street
Dundas, Ontario

Hoover Vacum Shop
144 King Street
Dundas, Ontario
L9H 1V2

Felix's Barber Shop
148 King Street
Dundas, Ontario

The Keeping Room ✓
6 Cross Street
Dundas, Ontario
L9H 2R4

Kids n' Crafts
4 Cross Street
Dundas, Ontario

Jewels by Ruby
5 King Street
Dundas, Ontario

Saturday's Child
7 King Street
Dundas, Ontario
L9H 1T5

DUNDAS
B.I.A.
Cont'd

Friday, May 26, 1989
9:00 p.m. to 11:59 p.m.

Litzen's Warehouse
9 King Street
Dundas, Ontario
L9H 1T7

The Complete Picture ✓
11 King Street
Dundas, Ontario
L9H 1T5

Fabric Factory
13 King Street
Dundas, Ontario

Sooters
27 King Street
Dundas, Ontario

Ducks Pizza
37 King Street
Dundas, Ontario
L9H 1T5

Dundas Animal Hospital
43 King Street
Dundas, Ontario
L9H 1T5

David House Men's Wear
17 King Street
Dundas, Ontario

Heirloom's Bridal Shoppe
19 King Street
Dundas, Ontario
L9H 1T5

Herb Bowes Cleaners
25 King Street
Dundas, Ontario

Links
21 King Street
Dundas, Ontario

Collins Hotel (Ducks)
33 King Street
Dundas, Ontario
L9H 1T5

DUNDAS
B.I.A.
Cont'd

Friday, May 26, 1989
9:00 p.m. to 11:59 p.m.

Gray's Florist
29 King Street
Dundas, Ontario
L9H 1T5

Turcott Construction
115 A King Street
Dundas, Ontario
L9H 1V1

Brunella Bakery
115 King Street
Dundas, Ontario

Esso Station
Dundas, Ontario

Sharp Photo
109 King Street
Dundas, Ontario

Peppers Pet Food
117 King Street
Dundas, Ontario

Lee & Lee Law Office
63 King Street
Dundas, Ontario
L9H 5G1

Dundas Lock & Key
69 King Street
Dundas, Ontario

James Orme Law Office
41 King Street
Dundas, Ontario

Dentists Office
105 King Street
Dundas, Ontario

DUNDAS
B.I.A.
Cont'd

Friday, May 26, 1989
9:00 p.m. to 11:59 p.m.

Alford Designs
Dundas, Ontario

Coiffure De Paris
59 King Street
Dundas, Ontario

Golden Valley Inn \ Owls Roost
Coffee Shop \ Laudromat
93 King Street
Dundas, Ontario

Jean's Hairstyling
51 King Street
Dundas, Ontario

Big V Drug Store
105 King Street
Dundas, Ontario

The Hair Gallery
53 King Street A
Dundas, Ontario

Booth's Furniture
49 King Street
Dundas, Ontario
L9H 1T5

Costello's
71 King Street
Dundas, Ontario

C.I.B.C.
83 King Street
Dundas, Ontario
L9H 5E7

Bank of Montreal
81 King Street
L9H 5E7

The Coach House
89 King Street
Dundas, Ontario

DUNDAS
B.I.A.
Cont'd

Friday, May 26, 1989
9:00 p.m. to 11:59 p.m.

Amarettos Lingerie
75 King Street
Dundas, Ontario

Maple Cyclery
65 King Street
Dundas, Ontario
L9H 1T5

Dental Surgeon
115 C King Street
Dundas, Ontario

Village Small Engine
107 King Street
Dundas, Ontario

Word Play
53 King Street E
Dundas, Ontario

BY-LAW NO. R89-063

BEING A BY-LAW TO AMEND

BY-LAW NO. R89-038 TO REGULATE TRAFFIC

WHEREAS Section 36(1) of the Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980 CH. 437 as amended, confers upon the Regional Municipality of Hamilton-Wentworth, with respect to the roads in the Regional Road System and the regulation of traffic thereon, all the powers conferred upon the council or corporation of a city by the Municipal Act, the Highway Traffic Act and any other Act with respect to highways; and

WHEREAS Section 210(117) of the Municipal Act, R.S.O. 1980, Chapter 302, as amended, confers upon the councils of the local municipalities the power to pass by-laws for regulating traffic on highways subject to the Highway Traffic Act; and

WHEREAS Section 315(7) of the said Municipal Act confers upon the councils of all municipalities the power to pass by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic; and

WHEREAS it is deemed advisable that the regulations pertaining to traffic on certain highways under the jurisdiction of the Regional Municipality of Hamilton-Wentworth be amended;

NOW THEREFORE, THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. Schedule 26 (Designated Traffic Lanes) of By-law R89-038 To Regulate Traffic on Regional Roads passed on the 21st day of March 1989, is hereby amended by deleting from Schedule 26 (Designated Traffic Lanes) the following item, namely:

"Regional Road No. 308	Regional Road No. 44 (York Road) and a point 150 feet south of Regional Road No. 144.	3rd lane from north curb	Anytime	Westerly to Northerly"
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and by adding thereto the following item, namely:

"Regional Road No. 308	Regional Road No. 144 (York Road) and a point 150 feet east of Regional Road No. 144	3rd lane from north curb	Anytime	Westerly to Southerly".
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2. Schedule 4 (Highways Where Heavy Traffic Restricted) of the said By-law is hereby amended by adding thereto the following items, namely:-

"Regional Road No. 412 (King Street)	Highway No. 20	Highway No. 8	Anytime
Regional Road No. 425 (New Mountain Road)	King Street	Ridge Road	Anytime
Regional Road No. 445 (Grays Road)	Highway No. 8	King Street	Anytime

* Amended
May 2/89

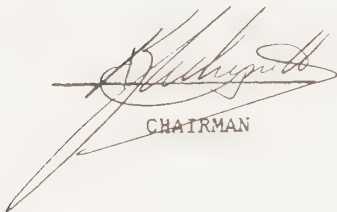
3. Schedule 23 (No Stopping Areas) of the said By-law is hereby amended by adding thereto the following item, namely:-

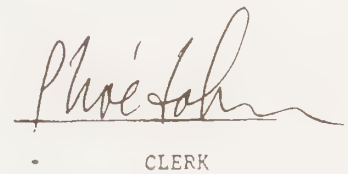
"King Both Mary to Main Anytime".
(exclude taxis)

4. In all other respects, By-law R89-038 and Schedules thereto are hereby confirmed, unchanged.

5. This By-law shall come into force and take effect on the date of its passing and enactment.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED as amended
this second day of May 1989.


CHAIRMAN


CLERK

Approved
as to form

Regional
Solicitor

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-064

To confirm the proceedings of the Council at its meeting held on the following date:

THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. The Action of the Council at its meeting held on the 2nd day of May, 1989, in respect of each recommendation contained in the Reports of its Committees.

<u>NAME</u>	<u>NO.</u>	
Economic Development and Planning Committee Report	08-89	as amended
Engineering Services Committee Report	08-89	as amended
Freeway Steering Committee Report	05-89	
Health and Social Services Committee Report	08-89	
Information Systems Committee Report	04-89	
Legislation and Reception Committee Report	05-89	as amended

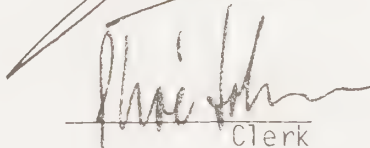
and Regional Officials

<u>NAME</u>	<u>NO.</u>	
Chairman's Report	08-89	as amended

considered by Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the Council at its said meetings, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Chairman of the Council and the proper officials of the Regional Municipality are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and, except where otherwise provided, the Chairman, the Clerk and the Treasurer are hereby directed to execute all documents necessary in that behalf, and the Clerk is hereby authorized and directed to affix the Corporate Seal of the Regional Corporation to all such documents.

READ A FIRST, SECOND AND THIRD TIME and Finally Passed and Enacted this 2nd, day of May, 1989.


Chairman

Clerk

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-065

TO PROVIDE FOR

1. THE CONSTRUCTION OF WATERMAIN AND RELATED WATER SERVICE CONNECTIONS AS DESCRIBED IN SCHEDULE "A" HERETO ON WILSON STREET FROM MOHAWK ROAD TO HENDRY LANE, IN THE TOWN OF ANCASTER.
2. THE IMPOSITION OF A SPECIALLY ASSESSED RATE ON ABUTTING OWNERS TO PAY A PORTION OF THE COST OF CONSTRUCTING THE WATERMAIN.
3. THE IMPOSITION OF A SPECIALLY ASSESSED RATE ON PARTICULAR LOTS TO BE SERVED BY THE SAID WATER SERVICE CONNECTIONS.

WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth (hereinafter called the "Region") in adopting on the 1st day of March, 1988, Report of the Committee of the Whole authorized the construction of a watermain and related water service connections as part of the 1988-1992 Capital Budget as described in Schedule "A" hereto on Wilson Street from Mohawk Road to Hendry Lane, in the Town of Ancaster under Section 218 (8) of the Municipal Act, R.S.O. 1980, c.302.

NOW THEREFORE, THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. THAT the construction of the said watermain on Wilson Street from Mohawk Road to Hendry Lane, in the Town of Ancaster, at an estimated cost of \$140,000.00 and the said water service connections at an estimated cost of \$10,000.00 is hereby authorized, as set out on Schedule "A" hereto.
- 2.(a) THAT the share of the estimated cost of the described Watermain to be borne by the owners of the lots liable to be specially assessed is \$92,000.00 and the amount to be specially assessed against such owners is hereby authorized at the actual equal special rate sufficient to defray the actual cost and payable by such owners in 15 annual consecutive installments.

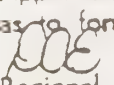
- (b) THAT the share of the estimated cost of the described Water Service connections be specially assessed upon the particular lots to be served.
- 3.(a) THAT the cost of the works described in Section 1 hereof may be financed from special assessments, subsidies, monies received from any other source, and by the issue and sale of debentures of The Region in the amount of \$92,000.00 which are to be authorized by a subsequent by-law or by-laws and which are to be repayable over a term of not more than 15 years.
- (b) THAT pending the sale of debentures referred to in sub-section (a) of this Section and the receipt of special assessments, subsidies, or monies from any other source, the Chairman and the Treasurer of The Region may borrow money not exceeding \$150,000.00 for the purpose described in Section 1 hereof.
- (c) THAT the sum or sums of money borrowed pursuant to sub-section (b) of this section are to be repaid out of the special assessments, subsidies received, monies received from any other source and the proceeds of the sale of debentures of The Region.
4. THAT notwithstanding the provisions of this by-law the amount to be debentured pursuant to the provision hereof is not to exceed the net cost to The Region after deducting any special assessments, subsidies or contributions from the Province of Ontario or from any other source in respect of the undertaking described in Section 1 hereof.
5. THAT the proper officials of The Region are hereby authorized and directed to do all things necessary to carry-out the terms of this by-law except that no contract for the construction of the described works is to be entered into without the approval of the Council of the Regional Municipality of Hamilton-Wentworth.
6. THAT schedule "A" forms part of this by-law.

Read a First and Second Time this 18th day of October, 1988.

Read a Third and Final Time and Finally Passed and Enacted
this 16th day of May, 1989.


CHAIRMAN


CLERK

Approved
as to form

Regional
Solicitor

SCHEDULE "A"

TO BY-LAW NO. R89-065

<u>DESCRIPTION</u>	<u>COST PER CONNECTION</u>	<u>TOTAL COST</u>	<u>REGION'S SHARE OF COST</u>	<u>OWNER'S SHARE OF COST</u>
Watermain on Wilson Street from Mohawk Road to Hendry Lane, in the Town of Ancaster		\$140,000	\$48,000	\$92,000
And				
Related Water Service Connections	\$1,000	\$ 10,000		\$10,000

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO R89-066

BEING A BY-LAW TO AUTHORIZE THE IMPOSITION OF A SPECIALLY ASSESSED RATE UPON THE OWNERS OF LANDS ABUTTING THE WATERMAIN AS DESCRIBED IN SCHEDULE "A" HERETO AND A SPECIALLY ASSESSED RATE ON PARTICULAR LOTS TO BE SERVED BY WATER SERVICE CONNECTIONS AS DESCRIBED IN SCHEDULE "B" HERETO ON WILSON STREET FROM MOHAWK ROAD TO HENDRY LANE, IN THE TOWN OF ANCASTER.

WHEREAS The Regional Municipality of Hamilton-Wentworth (hereinafter called the "Region") intends to install a watermain at an estimated cost of \$140,000.00 and related connections as described in Schedule "B" to the By-law at an estimated cost of \$10,000.00; and,

WHEREAS The Region may impose pursuant to The Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, Chapter 437, Section 96 (1) as amended, a specially assessed rate to finance extension to its water work systems under any general Act relating to the supply and distribution of water and the financing thereof; and,

WHEREAS the Municipal Act, Section 218 (2) authorizes a municipality to impose by by-law a specially assessed rate upon owners or occupants of land who derive a benefit from the said watermain and a specially assessed rate upon particular lots served by the water service connections.

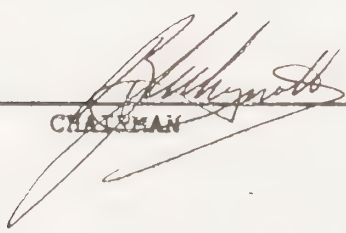
NOW THEREFORE, THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

- 1.(a) THAT a specially assessed rate be imposed on the owners of the lands described in Schedule "A" to this By-law, abutting the said watermain to be calculated on the therein described being rateable for an estimated total of \$92,000.00 which shall be the portion of the total cost of the watermain to be borne by the abutting land owners;
- (b) THAT the cost of the water service connections be specially assessed only upon the particular lot to be served as outlined in Schedule "B" to this By-law, and in the amounts therein set out.

2. THAT a reduction in the case of corner lots at the junction or intersection of streets and a reduction or increase in the case of triangular or irregularly shaped lots has been made in the specially assessed rate as per Schedule "A" to this By-law;
3. THAT the owners of the lands described on Schedule "A" to this By-law may pay the total estimated rates described therein in a lump sum cash payment or in equal and consecutive annual installments over a period of fifteen (15) years together with interest fixed at the borrowing rate for this Region at the time of the calculation of the total cost of the project and the imposition of the annual installment such as shown on Schedule "A" hereto.
4. THAT Schedule "A" and Schedule "B" form part of this By-law.

Read a First and Second Time this 18th day of October, 1988.

Read a Third and Final Time and Finally Passed and Enacted
this 16th day of May, 1989.



CHAIRMAN



CLERK

Approved
as to form

Regional
Solicitor

SCHEDULE "A" TO BY-LAW NO. R89-066

DESCRIPTION: Watermain

ESTIMATED COST: \$140,000.00

ESTIMATED COST TO OWNER: \$98.69 (frontage x acreage)

LOCATION: Wilson Street from Mohawk Road to Hendry Lane, in the Town of Ancaster.

Estimated portion to be financed by a specially assessed rate imposed on adjoining owners and occupants and the calculation of interest rates for the cost of the project to be paid in (15) fifteen annual consecutive installments shall be made in the year in which the works were completed.

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
ASSESSMENT ROLL NUMBER	DESCRIPTION OF LANDS	FRONTAGE ABUTTING PROPERTY	ACREAGE ABUTTING PROPERTY	(ACREAGE x FRONTAGE)	EXEMPTIONS	ESTIMATED LUMP SUM CASH PAYMENT (5) x \$98.69	ASSESSED OWNER(S)
100 250 45400	Con 2 Pt Lt 46	91.73	3.14	288.03	nil	\$ 28,424	F.J.M. Fruewirth 596 Hendry Lane Ancaster, Ont., L9G 3L8
100 250 45300	Con 2 Pt Lt 46	39.89	1.72	68.61	nil	6,771	J. & E. Woo 570 Hendry Lane Ancaster, Ont., L9G 3L8
100 250 45200	Con 2 Pt Lt 46	33.53	0.43	14.42	nil	1,423	J. & E. Jackson 564 Hendry Lane Ancaster, Ont., L9G 3L8
100 250 45000	Con 2 Pt Lt 46	54.20	0.40	21.68	nil	2,140	P. Newblgging 558 Wilson St. East Ancaster, Ont., L9G 2C5

SCHEDULE "A" (Page - 2)

(1) ASSESSMENT ROLL NUMBER	(2) DESCRIPTION OF LANDS	(3) FRONTAGE ABUTTING PROPERTY	(4) ACREAGE ABUTTING PROPERTY	(5) (ACREAGE X (FRONTAGE))	(6) EXEMPTIONS	(7) ESTIMATED LUMP SUM CASH PAYMENT (5) X \$98.69	(8) ASSESSED OWNER(S)
100 250 44800	Con 2 Pt Lt 46	39.61	4.02	159.23	nil	15,715	Richter F. Trustee c/o Eastgate Ford Sales & Service 350 Pakdale Ave. North Hamilton, Ont., L8H 5Y3
100 250 44700	Con 2 Pt Lt 46	25.30	2.19	55.41	nil	5,468	Richter F. Trustee 540 Wilson Street East Ancaster, Ont., L9G 2C5
100 250 44600	Con 2 Pt Lt 46	115.04	0.84	96.63	nil	9,537	A. Garrow 514 Wilson St. East Ancaster, Ont., L9G 3L4
100 250 44400	Con 2 Pt Lt 46	75.32	3.03	228.22	nil	22,522	N. Schacher in Trust 30 King Street Brantford, Ont., N3T 3C5
		<u>474.62</u>	<u>15.77</u>	<u>932.23</u>		<u>\$ 92,000</u>	

SCHEDULE "B" TO BY-LAW NO. R89-066

NOTE: CONNECTION COST ONLY ON EACH LOT TO BE SERVED BY THE CONNECTION.

DESCRIPTION: Watermain

LOCATION: Wilson Street from Mohawk Road to Hendry Lane, in the
Town of Ancaster.

NUMBER OF CONNECTIONS: 10

ESTIMATED COST PER CONNECTION: \$1,000.00

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-067

To Permit the Erection and Maintenance of
Objects Upon a Regional Road

WHEREAS Section 309(3) of the Municipal Act, R.S.O. 1980, Chapter 302, as amended, provides that the Council of every municipality may pass by-laws for permitting any person to place, construct, install, maintain, and use objects in, on, under, or over highways under such conditions as may be agreed upon for prescribing the terms and conditions upon which the same are to be placed, constructed, installed, maintained, or used, and for making such annual or other charge for the privilege conferred by the by-law as it considers reasonable,

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. The applicant 656731 Ontario Limited, and being the Owner of the said premises 958-960 Garth Street, Hamilton is hereby granted the privilege of maintaining the concrete steps and landing measuring 6.5' x 29.0' upon the highway allowance of Garth Street upon the terms and conditions contained in the agreement hereto as Schedule I.
2. The Regional Chairman, Regional Clerk and Regional Treasurer are hereby authorized to sign and execute all necessary documents to implement this By-law.
3. Schedule I attached to this By-law is included in and shall be considered part of this By-law.
4. This By-law shall come into force and take effect on the date of its passing and enactment.

READ A FIRST, SECOND and THIRD TIME and FINALLY PASSED and ENACTED

this 16th day of May 1989



CHAIRMAN

CLERK

Approved
as to form

Regional
Solicitor

FOR OFFICE USE ONLY	(1) Registry ☒ Land Titles ☐		(2) Page 1 of 9 pages	
	(3) Property Identifier(s) Block Property		Additional: See Schedule ☐	
	(4) Nature of Document Encroachment Agreement			
	(5) Consideration See attached Schedule "1" Dollars \$			
	(6) Description See attached Schedule "A" of Schedule "1"			
New Property Identifiers		Additional: See Schedule ☐		
Executions		Additional: See Schedule ☐		
		(7) This Document Contains:	(b) Schedule for:	
		(a) Redescription New Easement Plan/Sketch ☐	Description ☒ Additional Parties ☐ Other ☒	
(8) This Document provides as follows: See attached Schedule "1" Continued on Schedule ☐				
(9) This Document relates to instrument number(s)				
(10) Party(ies) (Set out Status or Interest)				
Name(s)		Signature(s)		Date of Signature Y M D
THE REGIONAL MUNICIPALITY		Approved as to form		
OF HAMILTON-WENTWORTH		CHAIRMAN		
		Regional Solicitor		
		REGIONAL CLERK		
		COMMISSIONER OF FINANCE		
(11) Address for Service P.O. Box 910, 119 King Street West, Hamilton, Ontario L8N 3V9				
(12) Party(ies) (Set out Status or Interest)				
Name(s)		Signature(s)		Date of Signature Y M D
656731 ONTARIO LIMITED		MICHAEL OVERS, PRESIDENT		89 4 4
(13) Address for Service 580 JARVIS STREET, TORONTO, ONTARIO, M4Y 2H9				
(14) Municipal Address of Property 656731 ONTARIO LIMITED 958-960 GARTH STREET, HAMILTON, ONTARIO		(15) Document Prepared by: The Regional Municipality of Hamilton-Wentworth Transportation Department 71 Main Street West Hamilton, Ontario L8N 3T4		
FOR OFFICE USE ONLY		Fees and Tax		
		Registration Fee		
		Total		

Schedule "1"

THIS AGREEMENT made this day of 1989

B E T W E E N:

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH,
Hereinafter called "the Region" of the First Part,

- and -

656731 Ontario Limited

Hereinafter called "the Applicant" of the Second Part.

WHEREAS the Applicant is the registered owner of the property known municipally as 958 Garth Street in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, more particularly described in Schedule "A" attached hereto;

AND WHEREAS Section 309(3) of the Municipal Act, R.S.O. 1980, Chapter 302, as amended, provides that the Council of every municipality may pass by-laws for permitting any person to place, construct, install, maintain, and use objects in, on, - under, or over highways under such conditions as may be agreed upon;

AND WHEREAS the Regional Municipality of Hamilton-Wentworth did by By-law # on the day of 19 approve the privilege hereinafter permitted to the Applicant, which application for privilege was presented at the meeting of the Council on the said date as Item in a Report to the Regional Council of the Engineering Services Committee.

NOW THEREFORE the parties hereby covenant and agree as follows:

1. That the Applicant, being the owner of the premises at 958 Garth Street, Hamilton (more particularly described in Schedule "A" attached hereto), may during the pleasure of Regional Council retain the encroachment of: concrete steps and landing measuring 6.5' x 29.0'.

(i) (hereinafter referred to collectively as "the works")

Onto the road allowance of Garth Street, as shown on a sketch attached hereto as Schedule "B", but so as not to interfere with the free and safe passage of persons and vehicles using the said road allowance.

2. All fees, costs, and expenses due and payable by the applicant to the Region, or paid or incurred by the Region under this agreement may in the event of default of such payment be recovered by the Region by distraint or lawsuit and the Region may in addition, thereupon terminate the agreement as provided in paragraph 12.

3. The sum of \$114.00 shall be due payable in advance to the Region immediately after the date of approval of the privilege at the Meeting of the said Regional Council.

4. The Applicant shall pay to the Region yearly and every year during the currency of this agreement the annual sum or fee of \$NIL or as may be determined by By-law from time to time in advance on the 1st day of January in each year, with the exception of the-first payment which shall be made upon execution of this agreement.

5. The Applicant shall and does hereby at all times covenant to indemnify and save harmless the Region from and against all actions, causes of action, interest, claims, demands, costs, damages, expenses, or loss which the Region may bear, suffer or be put to by reason of any damage to property or injury or death to any person as a result of the privilege herein allowed to the Applicant. At the time of the execution of this agreement, the Applicant shall deliver to the Region an endorsement from its general liability insurance policy confirming that the Region has been named as an additional insured for third party bodily injury and property damage arising out of the granting of this agreement to a limit of \$1,000,000. This policy shall be kept in force, by the Applicant during the term of this agreement. Upon written request of the Region, the Applicant shall forthwith deliver to the Region endorsements for the aforesaid policy current for that year.

6. The Applicant acknowledges that he is liable to pay all taxes, charges, duties, rates, levies, and business taxes assessed in respect to the occupation or use of the road allowance abutting the lands described in Schedule "A", the works herein allowed to the Applicant on, over, or under the said road allowance, arising pursuant to the Assessment Act. R.S.O. 1980, chapter 31 as amended, and to the Local Improvement Act. R.S.O. 1980 chapter 250 as amended, as and when the same become due and payable.

7. In no case whatsoever shall compensation be payable to the Applicant for improvements (if any) to the road allowance.

8. The Applicant shall at all times keep and maintain the works in a good and proper state of repair and safety.

9. Only the works herein authorized may be erected by the Applicant.

10. The design, construction, and location of the said works, shall be previously approved by the Commissioner of Engineering hereinafter referred to as the Commissioner, and shall be erected and maintained in all respects by the Applicant to the approval of the Commissioner, but the fact that the Commissioner shall have been satisfied with the design, location and construction shall in no way discharge or modify any liability or obligation of the applicant that may arise from this agreement.

11. If on the erection of the said works any act or thing shall be contrary to the order or direction of the Commissioner or if any act or thing shall be done of which the Commissioner shall disapprove or if in the opinion of the Commissioner the Applicant shall fail to maintain the said works in a safe condition, the Commissioner shall verbally or in writing require the Applicant to alter or repair the same and if same shall not be altered or repaired within forty-eight hours after such requirement or if the Applicant shall neglect or refuse to remove the said works or things

within 30 days after notice to remove the same shall have been delivered or posted as mentioned in paragraph 17 of this agreement, then and in any such case the Region may cause the required work to be done either by its own servants or by some other person and the cost of any such work may be recovered by the Region as set out in paragraph 2 of this agreement.

12. This agreement may be terminated at any time by the Region or the Applicant for any reason after the delivery to the other of written notice of its intention to terminate at least thirty days prior to such termination.

13. Within 30 days of the delivery by the Applicant to the Region of notice of its intention to terminate this agreement or upon receipt of such notice from the Region, the applicant shall remove the said works and restore that part of the road allowance occupied by the works in a condition acceptable to the Commissioner. If the Applicant defaults to perform such work of removal and restoration, then the Region may perform the same and recover its costs as set out in paragraph 2 and/or by such legal action as it deems necessary.

14. The Applicant shall observe and comply with all parliamentary and legislative enactments and with all by-laws and regulations of the Region or the City of Hamilton (Area Municipality) and all notices, orders and demands given by the Region through its Commissioner respecting the subject lands and the works thereon.

15. This Agreement is subject to all rights now or that may hereafter be vested in the Region, the City of Hamilton (Area Municipality) or in any gas, telephone, telegraph, electric light, or other utility Company, in respect of the care and improvement of the streets, the construction, repair, replacement or removal of sewers, mains, culverts, drains, water or gas pipes or the placing of poles or wires (herein called "services"), therein.

The Region expressly reserves to itself the right to construct services or permit services to be constructed therein. The Applicant shall not be entitled to any damages by reason of the exercise of the Region's rights contained in this paragraph and the Applicant shall at his own expense carry out such alteration of the works as the Regional Authority may direct.

16. No length of time or of enjoyment by the Applicant shall enure to give any right, title or interest to the Applicant or his successors in title, in the subject lands or to maintain the said works on, under, across or above (as the case may be) the said road allowance or shall deprive the Region by the operation of any limitation period or otherwise of any right to require the removal thereof the restoration of the road allowance.

17. Any notice to be given to the Region shall be delivered or posted by prepaid mail addressed to:

The Regional Clerk
The Regional Municipality of Hamilton-Wentworth
119 King Street West, 15th Floor, P.O. Box 910
Hamilton, Ontario
L8P 4T9

or such other addresses as may hereinafter be assigned.

Any notice to be given to the Applicant shall be delivered or posted by prepaid mail addressed to the Applicant at:

580 JARVIS STREET

TORONTO, ONTARIO

MAY 24 9

18. The word "Applicant" in this agreement means the Applicant named herein including the person in possession of the property set out in Schedule "A" attached hereto, it being agreed that this Agreement shall be binding upon the heirs, executors, administrators, successors, tenants, lessees, and assigns of the Applicant.

IN WITNESS WHEREOF The Regional Municipality of Hamilton-Wentworth has hereunto affixed its corporate seal attested by the hands of its duly authorized officials in that behalf;

AND IN WITNESS WHEREOF, the Applicant has hereunto, AFFIXED
ITS CORPORATE SEAL UNDER THE SIGNATURES OF ITS DULY
AUTHORIZED OFFICERS IN THAT BEHALF,

in the Presence of

APPLICANT:

Richard

THE REGIONAL MUNICIPALITY OF
HAMILTON-WENTWORTH

Chairman

Approved:

Commissioner of Finance

Clerk

APPROVED
DEPARTMENT OF ENGINEERING

January 1988

Approved
as to form
DOE
Regional
Solicitor

8

"A"

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Hamilton, in the County of Wentworth and Province of Ontario and being composed of part of Lot 19 in the 6th Concession of the Township of Barton and which said parcel may be more particularly described as follows:

PREMISING the western limit of Garth Street (road allowance between Lots 18 and 19) to have a bearing of North ($18^{\circ} 03'$) Eighteen Degrees Three Minutes East and relating all bearings herein thereto.

THE POINT OF COMMENCEMENT of the parcel intended to be conveyed may be arrived at as follows:

BEGINNING at a point in the western limit of Garth Street distant therein North eighteen degrees three minutes East ($18^{\circ} 3' E$) two thousand three hundred and fifty-four point five feet ($2,354.5'$) from the northern limit of the road allowance between Concessions Six and Seven (6 and 7) Barton Township.

THENCE north seventy-five degrees thirteen minutes thirty seconds west ($75^{\circ} 13' 30''$) along a line joining the last mentioned point with a point distant two thousand three hundred and thirty-eight point five feet ($2,338.5'$) measured northerly along a line drawn parallel to and distant one hundred and forty-nine point nine feet ($149.9'$) measured westerly at right angles from the said western limit of Garth Street from the northern limit of the said road allowance between Concessions Six and Seven (6 and 7) ten point zero two feet ($10.02'$) more or less to a line drawn parallel to and distant ten point zero feet ($10.0'$) measured westerly at right angles from the said western limit of Garth Street to the point of commencement.

THENCE in a westerly direction in a straight line to a point distant two thousand three hundred and thirty-eight and five tenths feet ($2,338 \frac{5}{10}'$) measured northerly from the northern limit of the unopened road allowance between Concessions Six and Seven (6 and 7) along a line drawn parallel to the westerly limit of the road allowance between lots numbers Eighteen and Nineteen (18 and 19) at a constant perpendicular distance of one hundred and forty-nine and nine-tenths feet ($149 \frac{9}{10}'$) measured westerly from the westerly limit of the said road allowance between Lots Numbers Eighteen and Nineteen (18 and 19) which said point is situate one hundred and thirty-nine point ninety-eight feet ($139.98'$) more or less westerly from the point of commencement.

THENCE south eighteen degrees west ($S. 18^{\circ} W$) and parallel with the western limit of the said road allowance between Lots numbers Eighteen and Nineteen (18 and 19) fifty-eight feet and six inches ($58' 6''$) to a point;

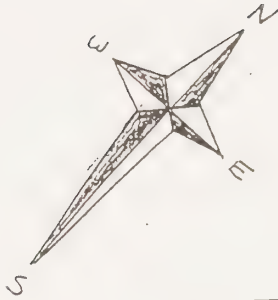
THENCE in an easterly direction in a straight line parallel to the north limit of the unopened road allowance between Concessions six and seven (6 and 7) one hundred and thirty-nine feet ten and one-half inches ($139' 10 \frac{1}{2}''$) more or less to the western limit of Garth Street as widened.

THENCE north eighteen degrees, three minutes east ($N. 18^{\circ} 3' E$) along the western limit of the said road allowance as widened seventy-three feet forty-four one hundredths feet ($73.44'$) to the place of beginning.

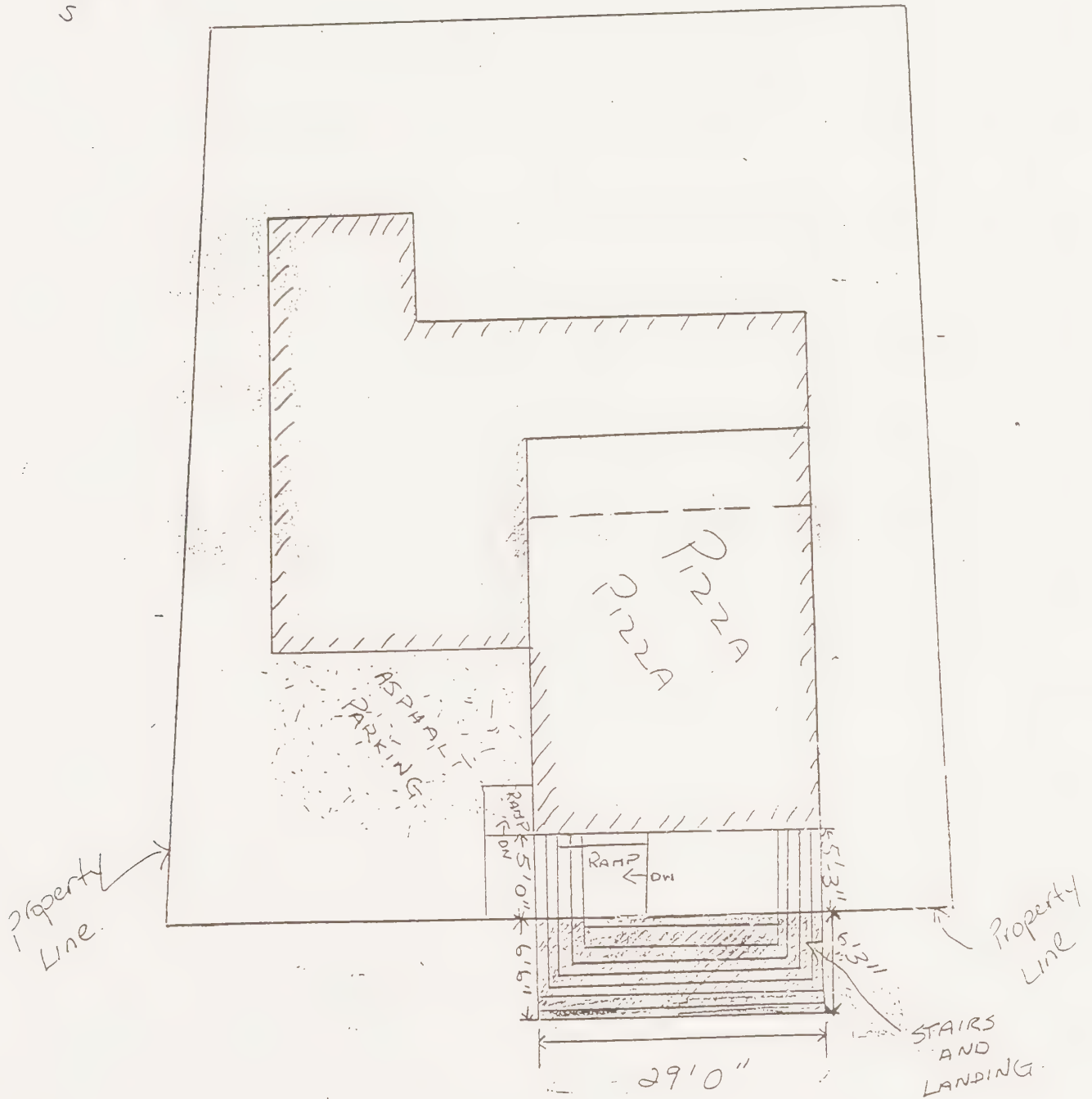
TOGETHER with a right of way over, along and upon the lands heretofore conveyed to the City of Hamilton by Instrument No. 55188 A.B. for road widening purposes until the said lands shall have been incorporated into the public highway now known as Garth Street.



SKETCH OF "WORKS"



958 GARTH + MOHAWK.



GARTH ST.

* NOTE : THIS IS NOT A PLAN OF SURVEY

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-068To Permit the Erection and Maintenance of
Objects Upon a Regional Road

WHEREAS Section 309(3) of the Municipal Act, R.S.O. 1980, Chapter 302, as amended, provides that the Council of every municipality may pass by-laws for permitting any person to place, construct, install, maintain, and use objects in, on, under, or over highways under such conditions as may be agreed upon for prescribing the terms and conditions upon which the same are to be placed, constructed, installed, maintained, or used, and for making such annual or other charge for the privilege conferred by the by-law as it considers reasonable,

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. The applicant, 471201 Ontario Limited, In Trust, being the Owner of 308-310 Cannon Street East, Hamilton is hereby granted the privilege of erecting and maintaining a second storey fire escape measuring 1.25m x 7.53m upon the highway allowance of Cannon Street East upon the terms and conditions contained in the agreement hereto as Schedule I.
2. The Regional Chairman, Regional Clerk and Regional Treasurer are hereby authorized to sign and execute all necessary documents to implement this By-law.
3. Schedule I attached to this By-law is included in and shall be considered part of this By-law.
4. This By-law shall come into force and take effect on the date of its passing and enactment.

READ A FIRST, SECOND and THIRD TIME and FINALLY PASSED and ENACTED

this 16th day of May 1989.


CHAIRMAN

CLERK

Approved
as to form

Regional
Solicitor

FOR OFFICE USE ONLY	(1) Registry ☒ Land Titles ☐		(2) Page 1 of 9 pages	
	(3) Property Identifier(s)		Block	Property
	Additional: See Schedule ☐			
	(4) Nature of Document Encroachment Agreement			
	(5) Consideration See attached Schedule "1" Dollars \$			
	(6) Description See attached Schedule "A" of Schedule "1"			
New Property Identifiers		Additional: See Schedule ☐		
Executions		Additional: See Schedule ☐		
(7) This Document Contains:		(a) Redescription New Easement Plan/Sketch ☐		(b) Schedule for: Description ☒ Additional Parties ☐ Other ☒

(8) This Document provides as follows:

See attached Schedule "1"

Continued on Schedule ☐

(9) This Document relates to instrument number(s)

(10) Party(ies) (Set out Status or Interest)	Signature(s)	Date of Signature
Name(s)		Y M D
THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH	Approved as to form <i>[Signature]</i> Regional Solicitor	
	CHAIRMAN	
	REGIONAL CLERK	
	COMMISSIONER OF FINANCE	

(11) Address for Service P.O. Box 910, 119 King Street West, Hamilton, Ontario L8N 3V9

(12) Party(ies) (Set out Status or Interest)	Signature(s)	Date of Signature
Name(s)		Y M D
471201 ONTARIO LIMITED, IN TRUST	<i>[Signature]</i> Greg Hart, President	1989 04 06

(13) Address for Service P.O. Box 3712, Station C, Hamilton, Ontario, L8H 7N1

(14) Municipal Address of Property 308-310 Cannon Street, E. 143 - 145 East Avenue, N Hamilton, Ontario L8L 5H8 M-19-89, <i>[Handwritten]</i>	(15) Document Prepared by: The Regional Municipality of Hamilton-Wentworth Transportation Department 71 Main Street West Hamilton, Ontario L8N 3T4	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2">Fees and Tax</th> </tr> <tr> <td style="width: 70%;">Registration Fee</td> <td></td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td></td> <td></td> </tr> <tr> <td>Total</td> <td></td> </tr> </table>	Fees and Tax		Registration Fee						Total	
Fees and Tax												
Registration Fee												
Total												

Schedule "1"

THIS AGREEMENT made this day of 19

B E T W E E N:

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH,
Hereinafter called "the Region" of the First Part,

- and -

471201 ONTARIO LIMITED, IN TRUST

Hereinafter called "the Applicant" of the Second Part.

WHEREAS the Applicant is the registered owner of the property known municipally as 308-310 Cannon Street East in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, more particularly described in Schedule "A" attached hereto;

AND WHEREAS Section 309(3) of the Municipal Act, R.S.O. 1980, Chapter 302, as amended, provides that the Council of every municipality may pass by-laws for permitting any person to place, construct, install, maintain, and use objects in, on, under, or over highways under such conditions as may be agreed upon;

AND WHEREAS the Regional Municipality of Hamilton-Wentworth did by By-law # on the day of 19 approve the privilege hereinafter permitted to the Applicant, which application for privilege was presented at the meeting of the Council on the said date as Item in a Report to the Regional Council of the Engineering Services Committee.

NOW THEREFORE the parties hereby covenant and agree as follows:

1. That the Applicant, being the owner of the premises at 308-310 Cannon Street East, Hamilton (more particularly described in Schedule "A" attached hereto), may during the pleasure of Regional Council retain the encroachment of:
 - (i) A second story fire escape onto the road allowance of Cannon Street East, Hamilton, measuring 1.25m x 7.53m.

(hereinafter referred to collectively as "the works")

Onto the road allowance of Cannon Street East, as shown on a sketch attached hereto as Schedule "B", but so as not to interfere with the free and safe passage of persons and vehicles using the said road allowance.

2. All fees, costs, and expenses due and payable by the applicant to the Region, or paid or incurred by the Region under this agreement may in the event of default of such payment be recovered by the Region by distraint or lawsuit and the Region may in addition, thereupon terminate the agreement as provided in paragraph 12.

3. The sum of \$141.00 shall be due payable in advance to the Region immediately after the date of approval of the privilege at the Meeting of the said Regional Council.

4. The Applicant shall pay to the Region yearly and every year during the currency of this agreement the annual sum or fee of \$27.00 or as may be determined by By-law from time to time in advance on the 1st day of January in each year, with the exception of the first payment which shall be made upon execution of this agreement.

5. The Applicant shall and does hereby at all times covenant to indemnify and save harmless the Region from and against all actions, causes of action, interest, claims, demands, costs, damages, expenses, or loss which the Region may bear, suffer or be put to by reason of any damage to property or injury or death to any person as a result of the privilege herein allowed to the Applicant. At the time of the execution of this agreement, the Applicant shall deliver to the Region an endorsement from its general liability insurance policy confirming that the Region has been named as an additional insured for third party bodily injury and property damage arising out of the granting of this agreement to a limit of \$1,000,000. This policy shall be kept in force, by the Applicant during the term of this agreement. Upon written request of the Region, the Applicant shall forthwith deliver to the Region endorsements for the aforesaid policy current for that year.

6. The Applicant acknowledges that he is liable to pay all taxes, charges, duties, rates, levies, and business taxes assessed in respect to the occupation or use of the road allowance abutting the lands described in Schedule "A", the works herein allowed to the Applicant on, over, or under the said road allowance, arising pursuant to the Assessment Act. R.S.O. 1980, chapter 31 as amended, and to the Local Improvement Act. R.S.O. 1980 chapter 250 as amended, as and when the same become due and payable.

7. In no case whatsoever shall compensation be payable to the Applicant for improvements (if any) to the road allowance.

8. The Applicant shall at all times keep and maintain the works in a good and proper state of repair and safety.

9. Only the works herein authorized may be erected by the Applicant.

10. The design, construction, and location of the said works, shall be previously approved by the Commissioner of Engineering hereinafter referred to as the Commissioner, and shall be erected and maintained in all respects by the Applicant to the approval of the Commissioner, but the fact that the Commissioner shall have been satisfied with the design, location and construction shall in no way discharge or modify any liability or obligation of the applicant that may arise from this agreement.

11. If on the erection of the said works any act or thing shall be contrary to the order or direction of the Commissioner or if any act or thing shall be done of which the Commissioner shall disapprove or if in the opinion of the Commissioner the Applicant shall fail to maintain the said works in a safe condition, the Commissioner shall verbally or in writing require the Applicant to alter or repair the same and if same shall not be altered or repaired within forty-eight hours after such requirement or if the Applicant shall neglect or refuse to remove the said works or things

within 30 days after notice to remove the same shall have been delivered or posted as mentioned in paragraph 17 of this agreement, then and in any such case the Region may cause the required work to be done either by its own servants or by some other person and the cost of any such work may be recovered by the Region as set out in paragraph 2 of this agreement.

12. This agreement may be terminated at any time by the Region or the Applicant for any reason after the delivery to the other of written notice of its intention to terminate at least thirty days prior to such termination.

13. Within 30 days of the delivery by the Applicant to the Region of notice of its intention to terminate this agreement or upon receipt of such notice from the Region, the applicant shall remove the said works and restore that part of the road allowance occupied by the works in a condition acceptable to the Commissioner. If the Applicant defaults to perform such work of removal and restoration, then the Region may perform the same and recover its costs as set out in paragraph 2 and/or by such legal action as it deems necessary.

14. The Applicant shall observe and comply with all parliamentary and legislative enactments and with all by-laws and regulations of the Region or the City of Hamilton (Area Municipality) and all notices, orders and demands given by the Region through its Commissioner respecting the subject lands and the works thereon.

15. This Agreement is subject to all rights now or that may hereafter be vested in the Region, the City of Hamilton (Area Municipality) or in any gas, telephone, telegraph, electric light, or other utility Company, in respect of the care and improvement of the streets, the construction, repair, replacement or removal of sewers, mains, culverts, drains, water or gas pipes or the placing of poles or wires (herein called "services"), therein.

The Region expressly reserves to itself the right to construct services or permit services to be constructed therein. The Applicant shall not be entitled to any damages by reason of the exercise of the Region's rights contained in this paragraph and the Applicant shall at his own expense carry out such alteration of the works as the Regional Authority may direct.

16. No length of time or of enjoyment by the Applicant shall enure to give any right, title or interest to the Applicant or his successors in title, in the subject lands or to maintain the said works on, under, across or above (as the case may be) the said road allowance or shall deprive the Region by the operation of any limitation period or otherwise of any right to require the removal thereof the restoration of the road allowance.

17. Any notice to be given to the Region shall be delivered or posted by prepaid mail addressed to:

The Regional Clerk
The Regional Municipality of Hamilton-Wentworth
119 King Street West, 15th Floor, P.O. Box 910
Hamilton, Ontario
L8P 4T9

or such other addresses as may hereinafter be assigned.

Any notice to be given to the Applicant shall be delivered or posted by prepaid mail addressed to the Applicant at:

P. O. Box 3712, Station C
Hamilton, Ontario, L8H 7N1

*

18. The word "Applicant" in this agreement means the Applicant named herein including the person in possession of the property set out in Schedule "A" attached hereto, it being agreed that this Agreement shall be binding upon the heirs, executors, administrators, successors, tenants, lessees, and assigns of the Applicant.

19. This Agreement is to be read with all the changes made necessary by the gender, number or corporate status of the Applicant herein.

IN WITNESS WHEREOF The Regional Municipality of Hamilton-Wentworth has hereunto affixed its corporate seal attested by the hands of its duly authorized officials in that behalf;

AND IN WITNESS WHEREOF, the Applicant has hereunto, affixed its corporate seal under the signatures of its duly authorized officers in that behalf.

SIGNED, SEALED AND DELIVERED)
in the Presence of)
Frances T. Hill)
.....)
.....)
.....)
.....)

APPLICANT:
471201 ONTARIO LIMITED, IN TRUST
Greg Hart
GREG HART, President

Approved:

THE REGIONAL MUNICIPALITY OF
HAMILTON-WENTWORTH

Chairman

Commissioner of Finance

Clerk

[Signature]
APPROVED
DEPARTMENT OF ENGINEERING

January 1988

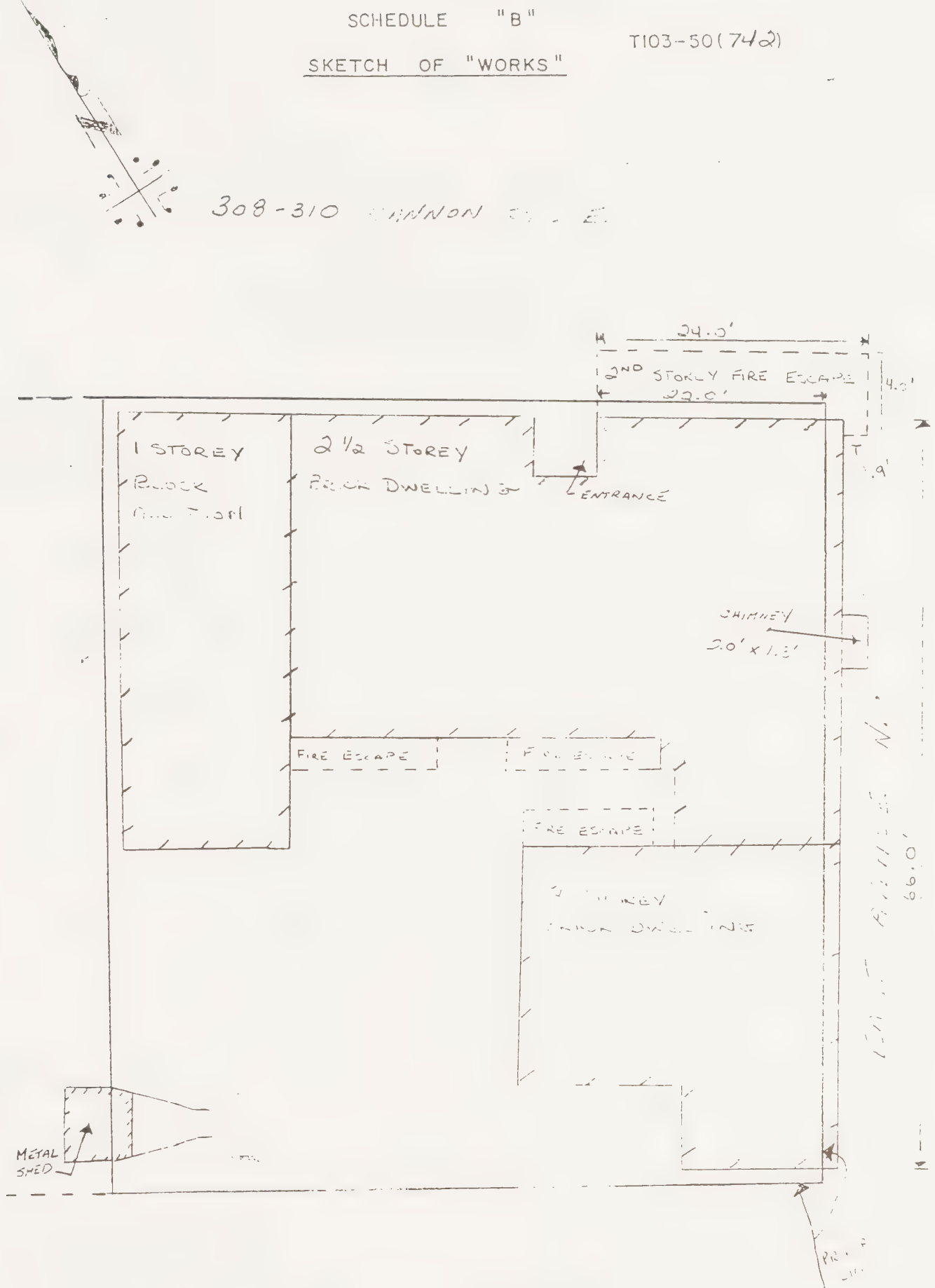
Approved
as to form
[Signature]
Regional
Solicitor

SCHEDULE "A"

DESCRIPTION OF LANDS

East Half of Lot 102 at the southwest corner of East Avenue and Cannon Street, in the City of Hamilton having a frontage on East Avenue of 66 feet and on Cannon Street of 62 feet more or less being the lands heretofore conveyed to William J. Thresher by Francis Stinson by deed registered NO. 49298 in Robert Land's Survey (no plan) as previously registered 397904, city of Hamilton, Regional Municipality of Hamilton-Wentworth.

SKETCH OF "WORKS"



* NOTE : THIS IS NOT A PLAN OF SURVEY

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-069BEING A BY-LAW TO AMEND BY-LAW
NO. R79-172 - THE REGIONAL SANITARY
SEWER AND PRIVATE DRAIN BY-LAW

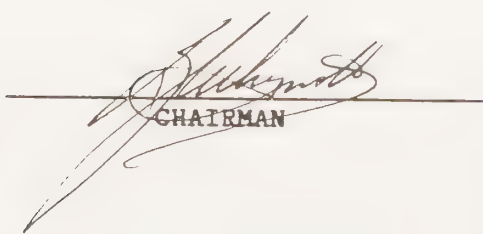
WHEREAS Regional Council did approve Item 2 of Finance and Personnel Committee Report 13-88 on December 20, 1988.

NOW THEREFORE, the Council of The Regional Municipality of Hamilton-Wentworth enacts as follows:

- (1) That Schedule "C" to Regional By-law R79-172 is hereby repealed and that Schedule "C" attached to this By-law be substituted therefor.
- (2) That paragraph (b) of subsection 1 of section 5 of Regional By-law R79-172 is hereby repealed and the following substituted therefor:
 - (b) Upon the execution and registration on title of an Agreement in the form set forth in Schedule "A", and the owner of the land is to pay to the Region
 - (i) Seven hundred and ten dollars, (\$710.00) where one sewer is to be connected.
 - (ii) One thousand and ten dollars, (\$1,010.00) where a sanitary and storm sewer is to be connected.
- (3) In all other respects, the contents of Regional By-law R79-172 are hereby confirmed unchanged.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED

this 16th day of May, 1989.


CHAIRMAN
CLERK

Approved
as to form

Regional
Solicitor

SCHEDULE "C"

SCHEDULE OF FEES FOR SEWER PERMITS

(Referred to in Sections 7, 13 & 15)

1. (1) Basic Fee for any permit.....\$ 36.00
- (2) In addition to the basic fee described in
 subsection (1) hereof, the following fees
 are payable,
 - (a) for a sanitary yard sewer and a sanitary
 private drain, or for either one individually....\$ 10.00
 - (b) for a storm water yard sewer and a storm
 water private drain, or for either one
 individually.....\$ 10.00
 - (c) for a lateral connection to a yard sewer.....\$ 10.00
 - (d) for a catchbasin including connection to a
 storm water yard sewer.....\$ 10.00
2. (1) Annual fee for a permit to discharge septic tank
 wastes (including basic fee).....\$ 36.00
- (2) In addition to the fee described in subsection (1)
 hereof, the following fees are payable,
 - (a) for the discharge of septic tank or holding tank
 wastes, \$5.50 for each 2500L, or part thereof, of
 the net capacity of the vehicle making such
 discharge, provided that in no case shall the fee
 for each load discharged be less than \$11.00.
 - b) for the discharge of septic tank or holding
 tank wastes at the Mountain Transfer Station,
 \$2.20 per 1000 kg., provided that in no case
 shall the fee for each load discharged be less
 than \$11.00.

NOTE: Books of tickets may be purchased at the same
 time as the annual permit.

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-070

BRING A BY-LAW TO AMEND
THE REGIONAL WATERWORKS BY-LAW NO. R84-026
BY REPEALING SCHEDULE "E" AND MAKING SUBSTITUTIONS THEREFOR

WHEREAS Regional Council did approve Item 2 of Finance and Personnel Committee Report 13-88 on December 20, 1988 .

NOW THEREFORE, the Council of The Regional Municipality of Hamilton-Wentworth enacts as follows:

1. That Schedule "E" to Regional By-law R84-026 is hereby repealed and that Schedule "E" attached to this By-law be substituted therefor.
2. In all other respects, the contents of Regional By-law No. R84-026 are hereby confirmed unchanged.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED

this 16th day of May . 1989.



CHAIRMAN



CLERK

0035c - 37

Approved
as to form

Regional
Solicitor

SCHEDULE "E" TO BY-LAW NO.

TABLE OF FEES FOR VARIOUS SERVICES

1.	(a)	Water service permit fee as referred to in Section 4(1)	\$21.00
	(b)	Fees for the installation of water meters and remote readers as referred to in Section 4(1):	
		Remote Reader	45.00
		16 mm diameter	81.00
		20 mm diameter	118.00
		25 mm diameter	159.00
		38 mm diameter	323.00
		50 mm diameter	410.00
		100 mm diameter (compound)	2,013.00
		100 mm diameter (turbine)	1,365.00
		150 mm diameter	3,741.00
		200 mm diameter	4,932.00
		250 mm diameter	6,930.00
2.		For superintending the laying of the service connection and the laying or repairing of a yard service as referred to in Section 4(1) of this By-law	27.00
3.		For superintending the laying of the service connection and the laying or repairing of a yard service after normal working hours	35.00
4.		For shutting off water at the street as referred to in Section 13(4) and 13(6)	33.00
5.	(a)	For turning on water at the street as referred to in Section 4(1)	30.00
	(b)	For turning water on and off during the same call	33.00
		For turning on water at the street after it has been shut off for non-payment of rates (and which includes the charge for the previous turn off), as referred to in Section 13(6)	64.00

Schedule "E" Continued to Water Works By-law

6.	For thawing out service pipes as referred to in Section 4(9)(d)	100.00
7.	For supplying water to a pool having a capacity of more than 5m ³ as referred to in Section 10(5)(c) an annual charge of	40.00
8.	For service calls other than previously specified	40.00
9.	For each Special Water Service to be connected as referred to in Section 4(17)	600.00
10.	For testing of a water meter up to and including 50 mm diameter as referred to in Section 9	60.00
11.	For testing of a water meter over 50 mm in diameter as referred to in Section 9	151.00
12.	Flow test for firefighting design purposes	50.00
13.	* For temporary connections	50.00 (+ meter fee)
14.	** For poor pressure flow tests	40.00
15.	*** For fire hydrant maintenance	167.00
16.	For installation of public drinking fountains	360.00
*	This service requires a \$200.00 deposit.	
**	There is to be no charge for citizens in requesting poor pressure flow tests in the first instance and where a second request is made, the citizen is advised by letter that there will be a \$40.00 charge.	
***	An additional \$20.00 capital contribution is charged for each hydrant.	

BY-LAW NO. R89-071

BEING A BY-LAW TO AMEND THE SOLID WASTE FEE SCHEDULE
BY REPEALING SCHEDULE "B" OF BY-LAW NO. R80-098,
AS AMENDED, AND BY MAKING SUBSTITUTIONS THEREFOR

WHEREAS Regional Council did approve Item 26 of the Engineering Services Committee Report No. 17-88 on September 20, 1988 to adjust the solid waste disposal deposit fees effective September 1, 1988, set out in Schedule "B" to By-law R80-098;

WHEREAS Regional Council did approve Item 1 of the Finance and Personnel Committee Report No. 11-88 on October 18, 1988 to increase the fee payable for transporting acceptable waste for disposal at the Regional Transfer Stations including SWARU to \$4.39 per 100 kilograms effective January 1, 1989;

WHEREAS Regional Council did approve Item 2 of the Finance and Personnel Committee Report No. 6-89 on April 4, 1989 to increase the fee payable for transporting acceptable waste for disposal at the Regional Transfer Stations including SWARU to \$8.00 per 100 kilograms effective May 1, 1989;

WHEREAS Regional Council did approve Item 2 of the Finance and Personnel Committee Report No. 13-88 on December 20, 1988 to establish a Set-Up and Credit Check Fee for Billable Waste Disposal Customers of \$10.00 per application effective January 1, 1989;

WHEREAS Regional Council did approve Item 5 of the Finance and Personnel Committee Report No. 7-89 on April 18, 1989 to receive for information collection procedures for the General Revenue Section and incorporate them into the Finance Department Procedure Manual;

NOW THEREFORE, the Council of The Regional Municipality of Hamilton-Wentworth enacts as follows:

- (1) That Schedule "B" to regional by-law R80-098 is hereby repealed and that Schedule "B" attached to this By-law be substituted therefor.
- (2) In all other respects, the contents of By-law R80-098, as amended, are hereby confirmed unchanged.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED

this 16th day of May 1989.


CHAIRMAN

Approved
as to form

Regional
Solicitor


CLERK

SCHEDULE "B"

WASTE DISPOSAL FEES

A. FEES

RATES

- | | |
|---|--|
| 1) Private Haulers who transport all acceptable Transfer Station Waste or acceptable SWARU for disposal at the Facilities in quantities of more than 300 kilograms (660 lbs.) | \$4.39 per 100 kg.,
effective January 1, 1989
\$8.00 per 100 kg.,
effective May 1, 1989 |
| 2) Set-up and credit check fee relating to Private Haulers who are regular users and wish to be invoiced for their waste disposal fees. This fee must be collected upon submission of the Private Haulers's application to the Regional Finance Department. | \$10.00 per application |

B. ALTERNATE FEE SCHEDULE

- | | |
|---|---|
| Where the weigh scales used at any of the Facilities become inoperative, the rate per 100 kilograms herein provided in Section (A) of this Schedule payable by Private Haulers shall be applied on the basis of the carrying capacity of the vehicle at the rate of | \$7.81 per cu. metre,
effective January 1, 1989

\$14.24 per cu. metre,
effective May 1, 1989 |
|---|---|

- C. Private Haulers who are occasional users of the Facilities shall be charged at the rate of \$4.39 per 100 kilograms calculated to the nearest dollar, effective January 1, 1989; and at the rate of \$8.00 per 100 kilograms calculated to the nearest dollar, effective May 1, 1989.

D. COLLECTION OF WASTE DISPOSAL FEES

- 1) Private Haulers - Regular Users
- i) Accounts for fees payable by Private Haulers who are regular users of the Facilities are to be invoiced at such regular periods as prescribed by the Commissioner of Finance.
 - ii) Payment of such accounts as set forth in subsection (i) of this section shall be payable within thirty (30) days of mailing of invoice.

- iii) Where an account for Waste Disposal Fees remains unpaid for more than thirty (30) days, the Private Haulers will be notified in statement form including the greater of interest charges or a minimum service charge and a notice of non-payment shall be sent by the Commissioner of Finance advising that if payment is not received within ten (10) days after the mailing of such notice, the Private Hauler's use of the Regional Transfer Stations shall be restricted to a cash basis. If an account remains unpaid for an additional (10) days, admittance to the Facilities shall be refused until such time as the original invoice plus all outstanding interest and service charges to date are paid. The names of these Private Haulers will be placed on a list and sent to the Transfer Stations instructing the Weigh Masters to refuse entry to those customers on the list. The Commissioner of Finance may require the posting of a performance bond or any other security acceptable to the Commissioner of Finance in the event that accounts continue from time-to-time to remain unpaid.

WASTE DISPOSAL FEES

2) Private Haulers - Occasional Users

- i) The amount of fees payable by Private Haulers who are occasional users at the Facilities are payable upon entering the Facilities.
- ii) Where the Private Hauler transporting waste for disposal at the Facilities is required to be tare weighed before the fees can be calculated, the Private Hauler shall be required to place a deposit as set forth in Section (F) of this Schedule. When the tare weight has been determined, the deposit shall be refunded and an immediate cash payment of the waste disposal fee shall be paid by the Private Hauler in accordance with Section (C) of this Schedule.

SCHEDULE "B" CONTINUED

Page - 3 -

E) Where the tare weight of a vehicle transporting waste for disposal at the Facilities has been predetermined, and such weight issued to calculate the net weight of the waste, the predetermined tare weight of any vehicle may be verified at any time by either the Region or the Private Hauler.

F) Cash deposits required to be placed by Private Haulers making a cash payment for the Waste Disposal Fee as set forth in subsection (ii) of Section (2) of this Schedule are:

<u>GROSS WEIGHT OF VEHICLE</u>			<u>AMOUNT</u>
Up	to	2500 kilograms	\$ 20.00
2501	to	5000 kilograms	30.00
5001	to	7000 kilograms	40.00
7001	to	9000 kilograms	50.00
9001	to	12000 kilograms	60.00
12001	to	15000 kilograms	75.00
Over		15000 kilograms	100.00

NOTES a) For the purpose of clarification, a regular user of the Transfer Facilities and SWARU may be regarded as:

- i) The Private Hauler depositing waste averaging a minimum of two chargeable loads per week, and/or
- ii) The Private Hauler whose monthly invoice is not less than \$50.00.

b) 1 kilogram = 2.205 pounds.

0106C 35-38

RP/em

PROPOSED AMENDMENT NO. 43
TO
THE REGION OF HAMILTON-WENTWORTH
OFFICIAL PLAN
HAMILTON-WENTWORTH PLANNING AREA

MARCH 1989

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THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-072

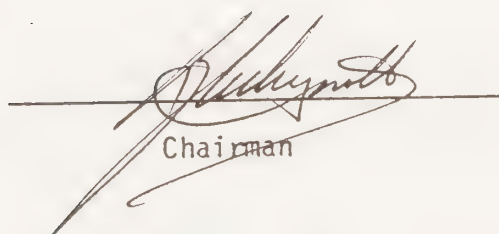
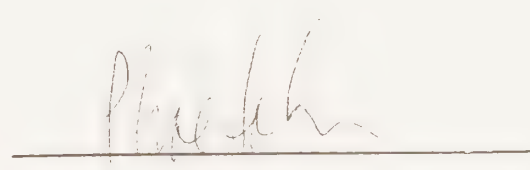
BEING A BY-LAW TO ADOPT AMENDMENT NO. 43 TO THE OFFICIAL PLAN FOR THE HAMILTON WENTWORTH PLANNING AREA ATTACHED TO AND FORMING PART OF REGIONAL BY-LAW NO.

The Council of the Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 17 and 21 of The Planning Act, S.O. 1983, Ch. 1, hereby enacts as follows:

1. THAT the text attached hereto and so designated is hereby adopted as Amendment No. 43 to the Official Plan for the Hamilton Wentworth Planning Area.
2. THAT the Clerk of the Region is hereby directed to forward Amendment No. 43 to the Official Plan for the Hamilton-Wentworth Planning Area, to the Minister of Municipal Affairs for approval.
3. THAT the Official Plan attached to and forming part of By-Law No. R80-094 is hereby amended by adding thereto the text attached hereto.
4. THAT this By-Law shall come into force and take effect on the date of its final passing.

READ a first, second, and third time and finally passed and enacted

this 16th day of May, 1989.


Chairman
Clerk

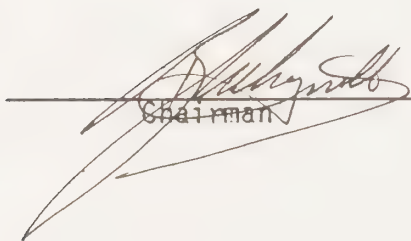
PART 1 THE CERTIFICATION

AMENDMENT NO. 43

TO THE REGION OF HAMILTON-WENTWORTH OFFICIAL PLAN

THE HAMILTON-WENTWORTH PLANNING AREA

Amendment No. 43 to the Region of Hamilton-Wentworth Official Plan,
Hamilton-Wentworth Planning Area, constituting the explanatory text was
prepared by the Planning and Development Department of the Regional
Municipality of Hamilton-Wentworth and adopted by Regional Council by By-law
No.R89-072 in accordance with Section 17 of The Planning Act, 1983, S.O.
1983, Ch. 1, on the 16th day of May 1989


Chairman


Clerk

PART II - THE PREAMBLE

TITLE

This Amendment shall be known as Amendment No. 43 to the Region of Hamilton-Wentworth Official Plan, Hamilton-Wentworth Planning Area.

2. COMPONENTS OF THIS AMENDMENT

Only that part of this document entitled "PART III - The Amendment", comprising the attached text, constitutes Amendment No. 43 to the Region of Hamilton-Wentworth Planning Area.

3. PURPOSE OF THE AMENDMENT

This Amendment is intended to allow for the development of a 187 acre Golf Course in the Rural Area by exempting the lands from Section 3 of the Hamilton-Wentworth Official Plan.

4. LOCATION OF THE AMENDMENT

The lands affected by the Amendment are located on the south side of Chippewa Road West, being part of Lot 2, Concession 7, in the Township of Glanbrook. As shown on the attached Appendix Map.

5. BASIS OF THE AMENDMENT

The exemption of this property from Section 3 of the Hamilton-Wentworth Official Plan will allow for the reasonable use of these lands, which Regional Council considers appropriate since the Ministry of Agriculture and Food considers that the proposal complies with the requirements of the Food Land Guidelines.

PART III - THE AMENDMENT

1. INTRODUCTION

The whole of this part of the document entitled "PART III - The Amendment" which consists of the following text constitutes Amendment No. 43 to the Region of Hamilton-Wentworth Official Plan, Hamilton-Wentworth Planning Area.

2. TEXT CHANGE

The Region of Hamilton-Wentworth Official Plan, Hamilton-Wentworth Planning Area is amended by adding to Section 3.1 of the Hamilton-Wentworth Official Plan, the following policy:

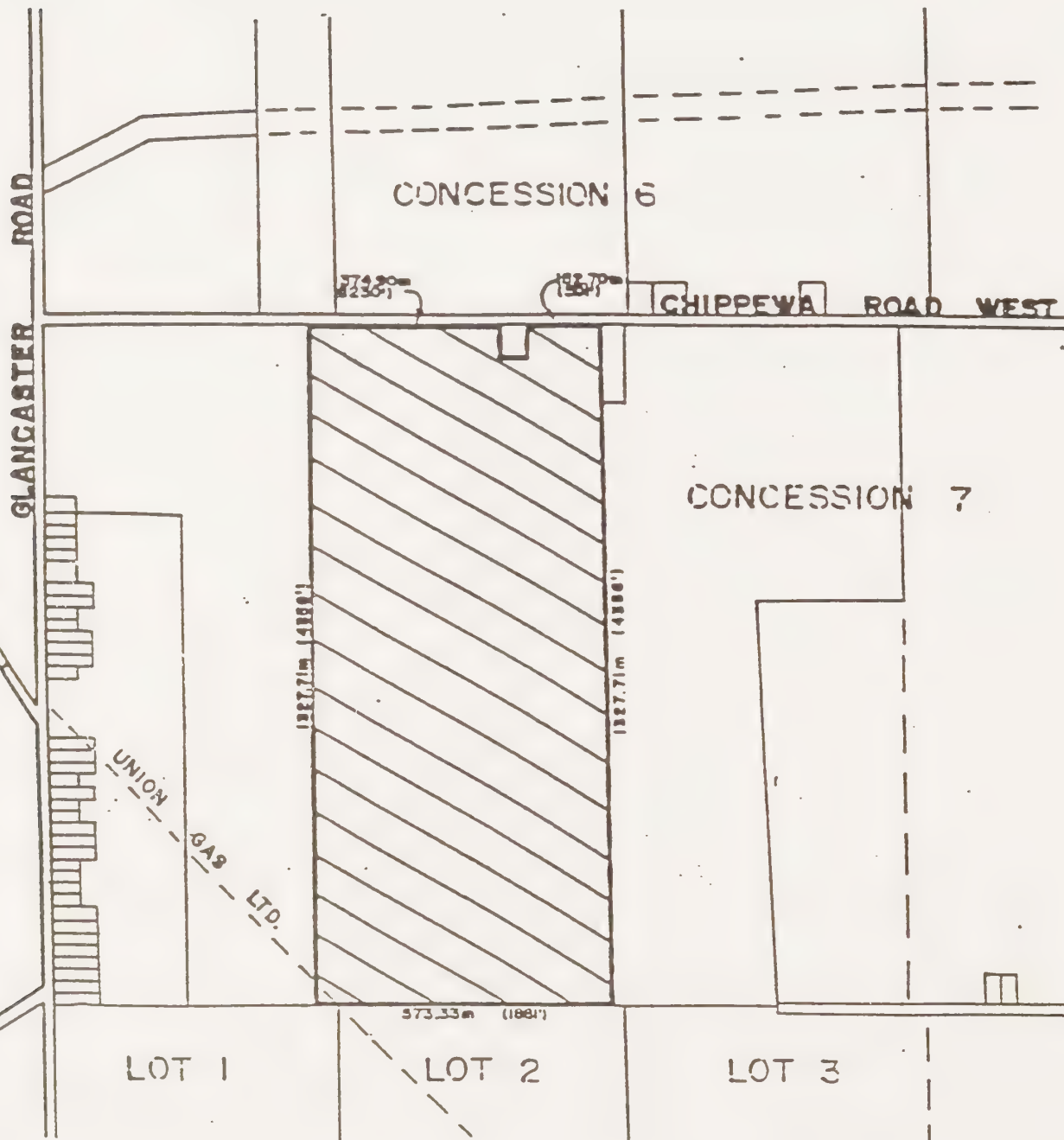
"3.1.15 Notwithstanding the provisions of Section 3 of the Plan, a 187 acre Golf Course may be permitted on Lot 2, Concession 7 in the Township of Glanbrook.

PART IV - THE APPENDIX

APPENDIX MAP
TO AMENDMENT NO. 43
TO THE REGION OF HAMILTON-WENTWORTH OFFICIAL PLAN
HAMILTON-WENTWORTH PLANNING AREA

PLAN SHOWING
PART OF LOT 2 CONCESSION 7

FORMERLY TOWNSHIP OF GLANFORD
NOW IN THE
TOWNSHIP OF GLANBROOK



LANDS AFFECTED BY AMENDMENT NO. 43 TO THE
HAMILTON-WENTWORTH OFFICIAL PLAN

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-073

To confirm the proceedings of the Council at its meeting held on the following date:

THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. The Action of the Council at its meeting held on the 16th day of May, 1989, in respect of each recommendation contained in the Reports of its Committees.

<u>NAME</u>	<u>NO.</u>
Special Airport Committee Report	05-89 as amended
Economic Development and Planning Committee Report	08-89
Engineering Services Committee Report	09-89
Finance and Personnel Committee Report	08-89 as amended
Freeway Steering Committee Report	06-89
Health and Social Services Committee Report	09-89
Transportation Services Committee Report	05-89

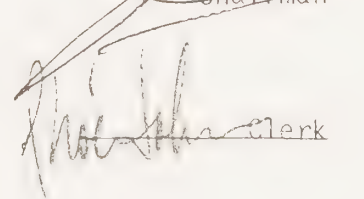
and Regional Officials

<u>NAME</u>	<u>NO.</u>
Chairman's Report	08-89

considered by Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the Council at its said meetings, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Chairman of the Council and the proper officials of the Regional Municipality are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and, except where otherwise provided, the Chairman, the Clerk and the Treasurer are hereby directed to execute all documents necessary in that behalf, and the Clerk is hereby authorized and directed to affix the Corporate Seal of the Regional Corporation to all such documents.

READ A FIRST, SECOND AND THIRD TIME and Finally Passed and Enacted this 16th, day of May, 1989.


Chairman

Clerk

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-074

To confirm the proceedings of the Council at its meeting held on May 23, 1989

**THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
ENACTS AS FOLLOWS:**

The Action of the Council at its meeting held on the 23rd day of May, 1989, in respect of each recommendation contained in the Special Meeting of Council as follows:

1. That Michael A. Rallo be appointed Clerk Pro Tempore May 23 to 26, 1989.
2. That the Memoranda of Agreement between the Regional Municipality of Hamilton-Wentworth and C.U.P.E. Local 5 dated May 10, 1989 be approved and implemented in accordance with the terms therein.
3. That the Memoranda of Agreement between the Regional Municipality of Hamilton-Wentworth and C.U.P.E. Local 167 (Administration Unit) dated May 10, 1989 be approved and implemented in accordance with the terms therein; and be considered by Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the Council at its said meetings, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

The Chairman of the Council and the proper officials of the Regional Municipality are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and, except where otherwise provided, the Chairman, the Clerk and the Treasurer are hereby directed to execute all documents necessary in that behalf, and the Clerk is hereby authorized and directed to affix the Corporate Seal of the Regional Corporation to all such documents.

READ A FIRST, SECOND AND THIRD TIME and Finally Passed and Enacted this 23rd, day of May, 1989.


Chairman


Clerk

The Regional Municipality of Hamilton-Wentworth

By-Law No. R89-075

Being a By-Law to Amend Regional

By-Law No. R81-002

WHEREAS the Regional Council did pass on the 6th day of January, 1981, By-law No. R81-002, pursuant to the provisions of the Regional Municipality of Hamilton-Wentworth Act, S.O. 1973, c. 74 as amended and the Local Improvement Act, R.S.O. 1980, c.250 as amended, to authorize the imposition of a specially assessed rate upon owners of lands abutting sanitary sewers.

AND WHEREAS the Regional Council considers it desirable and expedient to amend the frontage provisions of lands set out in Schedule 'A' to Regional By-Law No. R81-002.

NOW THEREFORE, THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. That the information on Schedule A to By-Law R81-002 under the headings 'EXEMPT FRONTAGE', and 'FRONTAGE SUBJECT TO RATE', and adjacent to Roll Number 100 120 11600, be repealed and the following substituted therefore:

"125.67" under EXEMPT FRONTAGE and
"407.23" under FRONTAGE SUBJECT TO RATE
2. In all other respects all the provisions of Regional By-Law R81-002 are hereby confirmed unchanged.
3. This By-Law shall come into force and take effect upon its passing and enactment.

Read a First and Second Time this 4th day of April, 1989

Read a Third and Final Time and Finally Passed and Enacted this 6th day of June, 1989.


Chairman


Clerk


ACTING Chairman
#03508-50

Approved
as to form
Regional
Secretary


Clerk

PROPOSED AMENDMENT NO. 44
TO
THE REGION OF HAMILTON-WENTWORTH
OFFICIAL PLAN
HAMILTON-WENTWORTH PLANNING AREA

APRIL 1989

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R 89-076

BEING A BY-LAW TO ADOPT AMENDMENT NO. 44 TO THE OFFICIAL PLAN FOR THE HAMILTON WENTWORTH PLANNING AREA ATTACHED TO AND FORMING PART OF REGIONAL BY-LAW NO.

The Council of the Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 17 and 21 of The Planning Act, S.O. 1983, Ch. 1, hereby enacts as follows:

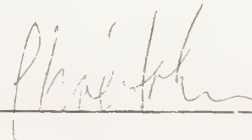
1. THAT the schedule attached hereto and so designated is hereby adopted as Amendment No. 44 to the Official Plan for the Hamilton Wentworth Planning Area.
2. THAT the Clerk of the Region is hereby directed to forward Amendment No. 44 to the Official Plan for the Hamilton-Wentworth Planning Area, to the Minister of Municipal Affairs for approval.
3. THAT the Official Plan attached to and forming part of By-Law No. R80-094 is hereby amended by adding thereto the text attached hereto.
4. THAT this By-Law shall come into force and take effect on the date of its final passing.

READ a first, second, and third time and finally passed and enacted

this 6th day of June, 1989.



ACTING Chairman



Clerk

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PART 1 THE CERTIFICATION

AMENDMENT NO. 44

TO THE REGION OF HAMILTON-WENTWORTH OFFICIAL PLAN

THE HAMILTON-WENTWORTH PLANNING AREA

Amendment No. 44 to the Region of Hamilton-Wentworth Official Plan, Hamilton-Wentworth Planning Area, constituting the explanatory text and Schedule was prepared by the Planning and Development Department of the Regional Municipality of Hamilton-Wentworth and adopted by Regional Council by By-law No. R89-076 in accordance with Section 17 of The Planning Act, 1983, S.O. 1983, Ch. 1, on the day of 1989



ACTING Chairman



Clerk

PART II - THE PREAMBLE

1. TITLE

This Amendment shall be known as Amendment No. 44 to the Region of Hamilton-Wentworth Official Plan, Hamilton-Wentworth Planning Area.

2. COMPONENTS OF THIS AMENDMENT

Only that part of this document entitled "PART III - The Amendment", comprising Schedule "A" constitutes Amendment No. 44 to the Region of Hamilton-Wentworth Planning Area.

3. PURPOSE OF THE AMENDMENT

The purpose of this amendment is to change the land use designation of lands along the Beach Strip Area from Lakeshore Policy Area "A" to Lakeshore Policy Area "B", to reflect the Hamilton Beach Concept Plan.

4. LOCATION OF THE AMENDMENT

The area affected by this Amendment is the Hamilton Beach Strip located between Lake Ontario and Hamilton Harbour, and from the Burlington Canal to Woodward Avenue interchange.

5. BASIS OF THE AMENDMENT

In November 1987, Hamilton City Council adopted the Hamilton Beach Concept Plan, which recognizes a variety of land uses and provides policy direction for the Beach Strip Community.

On November 29, 1988, City of Hamilton Council adopted associated Amendment No. 62 to the City of Hamilton Official Plan, which implements the Hamilton Beach Concept Plan.

This Amendment to the Region's plan is necessary to facilitate Amendment No. 62 to the City of Hamilton Official Plan.

PART III - THE AMENDMENT

1. INTRODUCTION

The whole of this part of the document entitled "PART III - The Amendment" which consists of the following attached map designated Schedule "A", constitutes Amendment No. 44 to the Region of Hamilton-Wentworth Official Plan, Hamilton-Wentworth Planning Area.

2. DETAILS OF THE AMENDMENT

The Region of Hamilton-Wentworth Official Plan, Hamilton-Wentworth Planning Area is amended as follows:

LAKESHORE POLICY AREAS, MAP NO. 3

Map No. 3, Lakeshore Policy Areas, is amended by redesignating the identified lands, shown on Schedule "A" from:

LAKESHORE POLICY AREA "A", to LAKESHORE POLICY AREA "B".

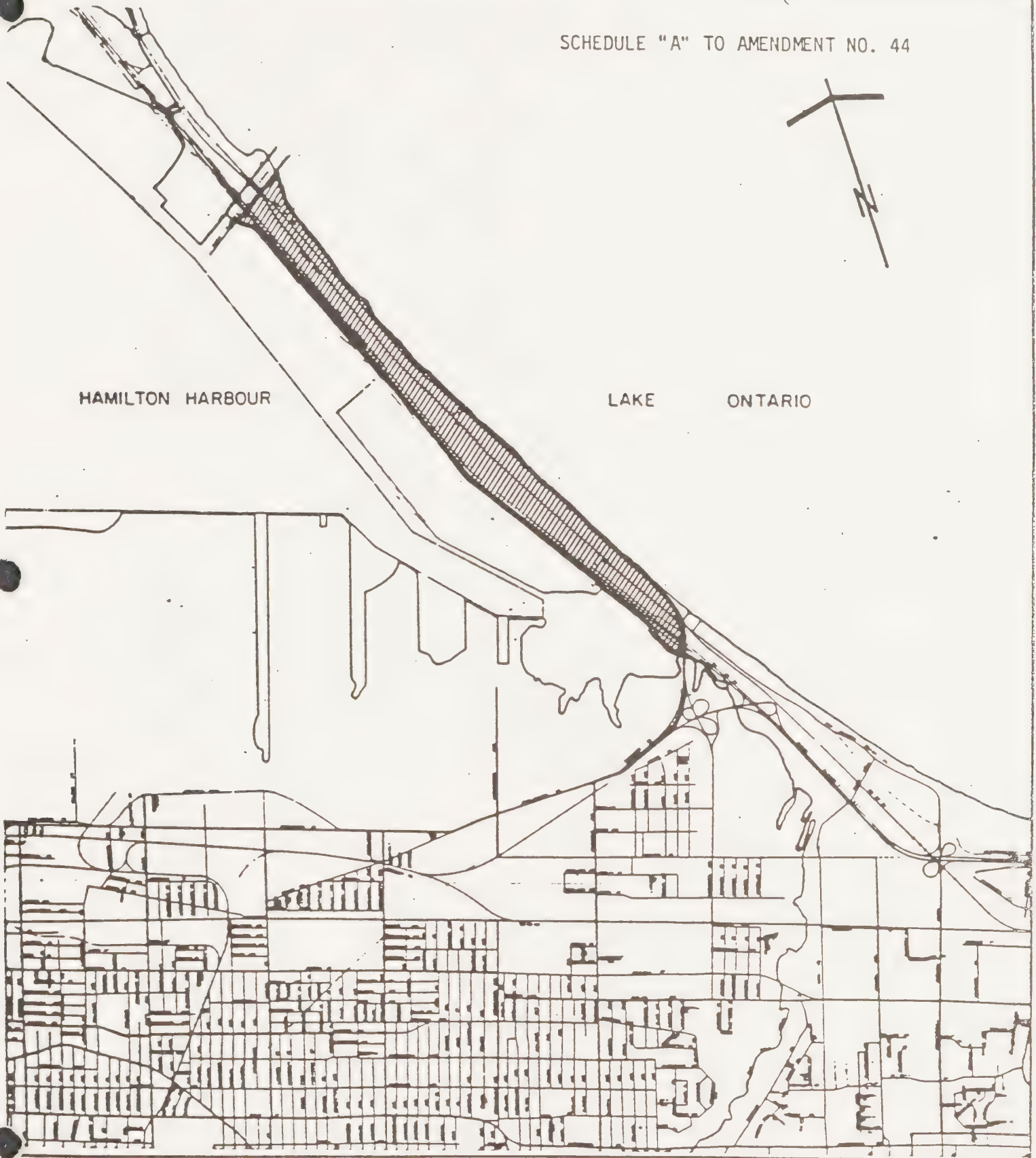
SCHEDULE "A" TO AMENDMENT NO. 44



HAMILTON HARBOUR

LAKE

ONTARIO



LEGEND



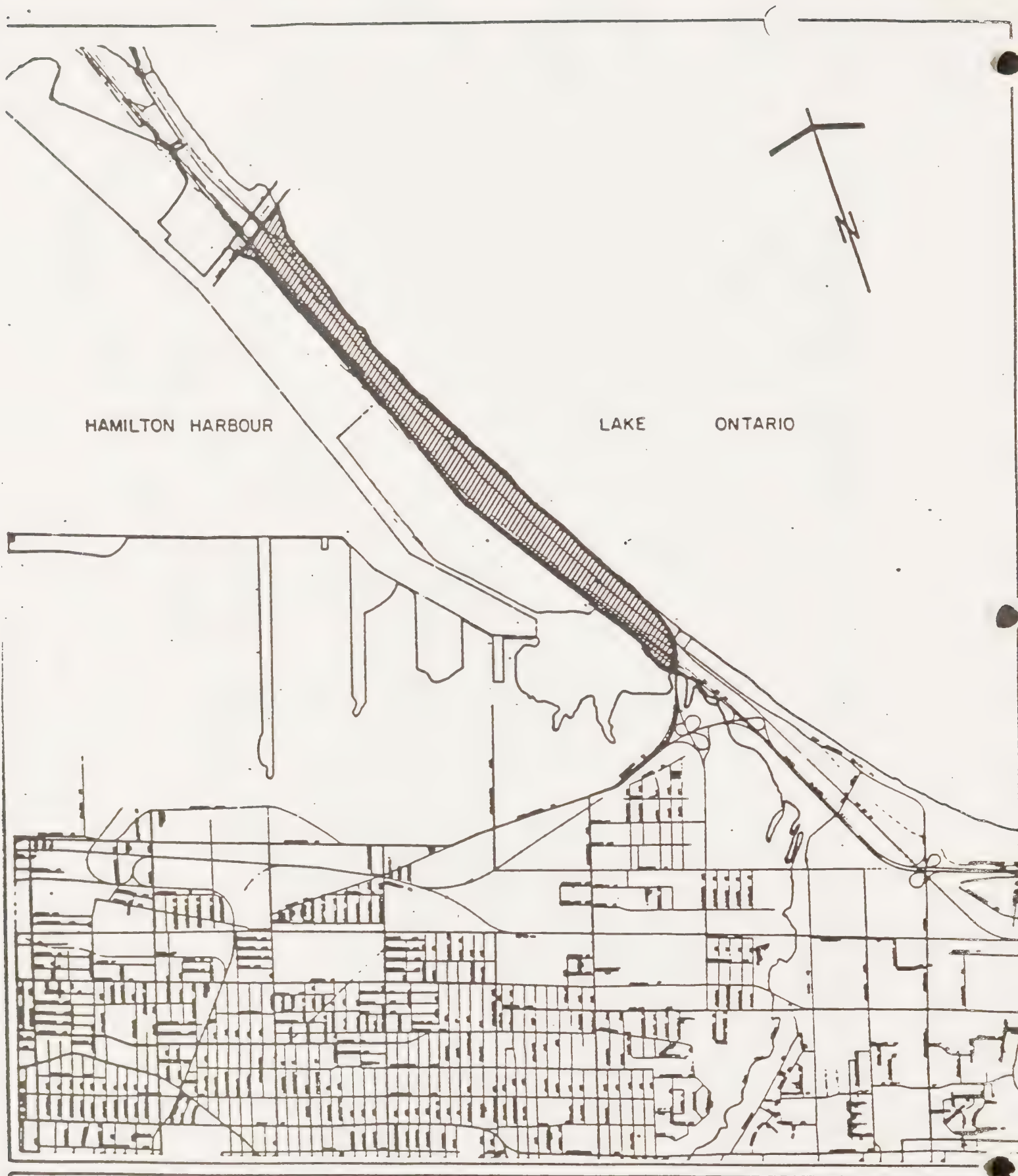
Change From Lakeshore Policy Area "A"
To Lakeshore Policy Area "B"

PART IV
THE APPENDIX

THE REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH

Location Of Proposed Official Plan Amendment





LEGEND



Change From Lakeshore Policy Area "A"
To Lakeshore Policy Area "B"

AMENDMENT NO. 40
TO
THE REGION OF HAMILTON-WENTWORTH OFFICIAL PLAN
HAMILTON-WENTWORTH PLANNING AREA

MAY 1989

W.P. 3034P.

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R 89-077

BEING A BY-LAW TO ADOPT AMENDMENT NO. 40 TO THE OFFICIAL PLAN FOR THE HAMILTON WENTWORTH PLANNING AREA ATTACHED TO AND FORMING PART OF REGIONAL BY-LAW NO. R

The Council of the Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 17 and 21 of The Planning Act, 1983 S.O. 1983, Ch. 1, hereby enacts as follows:

1. THAT the text and schedules attached hereto and so designated is hereby adopted as Amendment No. 40 to the Official Plan for the Hamilton Wentworth Planning Area.
2. THAT the Clerk of the Region is hereby directed to forward Amendment No. 40 to the Official Plan for the Hamilton-Wentworth Planning Area, to the Minister of Municipal Affairs for approval.
3. THAT the Official Plan attached to and forming part of By-Law No. R80-094 is hereby amended by adding thereto the text attached hereto.
4. THAT this By-Law shall come into force and take effect on the date of its final passing.

READ a first, second, and third time and finally passed and enacted

this 6th day of June, 1989.

Ann Staal
ACTING Chairman

Philip H.
Clerk

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PART 1 THE CERTIFICATION

AMENDMENT NO. 40

TO THE REGION OF HAMILTON-WENTWORTH OFFICIAL PLAN

THE HAMILTON-WENTWORTH PLANNING AREA

Amendment No. 40 to the Region of Hamilton-Wentworth Official Plan, Hamilton-Wentworth Planning Area, consisting of the explanatory text and maps, was prepared by the Planning and Development Department of the Regional Municipality of Hamilton-Wentworth and adopted by Regional Council by By-law No. R89-077 in accordance with Section 17 of The Planning Act, 1983, S.O. 1983, Ch. 1, on the day of 1989.

ACTING

Ann Sloat
Chairman

[Signature]
Clerk

PART II - THE PREAMBLE

1. TITLE

This Amendment shall be known as Amendment No. 40 to the Region of Hamilton-Wentworth Official Plan, Hamilton-Wentworth Planning Area.

2. COMPONENTS OF THIS AMENDMENT

Only that part of this document entitled "Part III - The Amendment", comprising the text and schedules, constitutes Amendment No. 40 to the Region of Hamilton-Wentworth official Plan, Hamilton-Wentworth Planning Area.

3. PURPOSE OF THIS AMENDMENT

This Amendment is intended to allow for the development of a 147 acre Golf Course in the Rural Area by exempting the lands from Section 3 of the Hamilton-Wentworth Official Plan.

4. LOCATION OF THE AMENDMENT

The lands affected by this Amendment are located on the North Side of Carlisle Road, being part of Lots 2 and 3, Concession 9, former Township of East Flamborough, now in the Town of Flamborough. As shown on the attached Appendix Map.

5. BASIS OF THIS AMENDMENT

The exemption of this property from Section 3 of the Hamilton-Wentworth Official Plan will allow for the reasonable use of these lands, which Regional Council considers appropriate since the Ministry of Agriculture and Food considers that the proposal complies with the requirements of the Food Land Guidelines.

PART III - THE AMENDMENT

1. INTRODUCTION

The whole of this part of the document entitled Part III - The Amendment, which consists of the following text constitutes Amendment No. 40 to the Region of Hamilton-Wentworth Official Plan, Hamilton-Wentworth Planning Area.

2. TEXT CHANGE

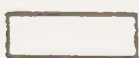
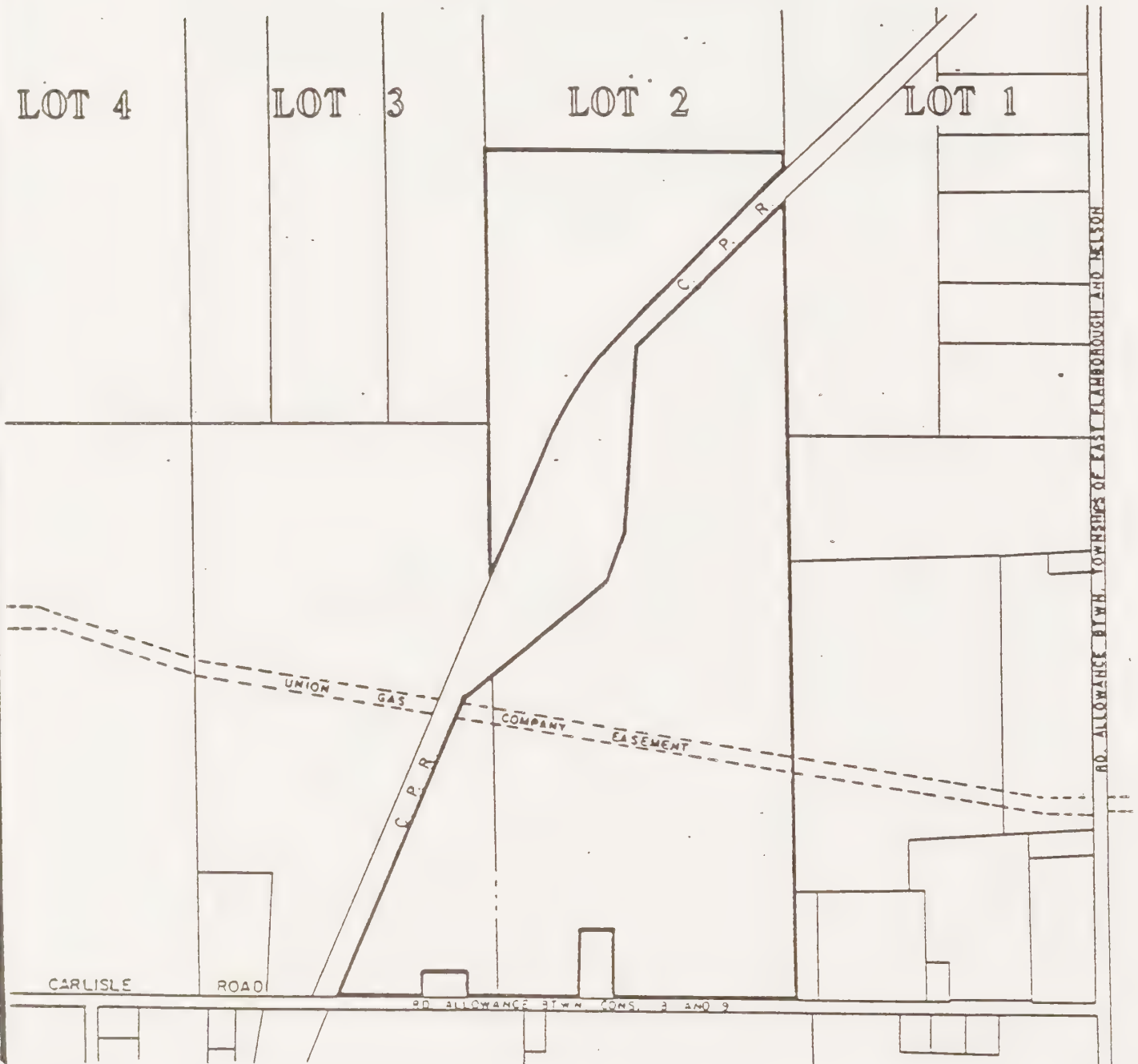
The Region of Hamilton-Wentworth Official Plan, Hamilton-Wentworth Planning Area is amended by adding to Section 3.1 of the Hamilton-Wentworth Official Plan, the following policy:

"3.1.14 Notwithstanding the provisions of Section 3 of the Plan, a 147 acre Golf Course may be permitted on Lots 2 and 3, Concession 9, former Township of East Flamborough, now in the Town of Flamborough.

PART IV

APPENDIX MAP -
TO AMENDMENT NO. 40
TO THE REGION OF HAMILTON-WENTWORTH OFFICIAL PLAN
HAMILTON - WENTWORTH PLANNING AREA

PLAN SHOWING
PART OF LOTS 2 & 3 CON. 9
TOWNSHIP OF EAST FLAMBOROUGH
NOW IN THE
TOWN OF FLAMBOROUGH



LANDS AFFECTED BY AMENDMENT NO. 40 TO
THE HAMILTON - WENTWORTH OFFICIAL PLAN

The Regional Municipality of Hamilton-Wentworth

Bill No. 1488

By-law No. By-law R89-078

Being a By-law to authorize:

- 1) The undertaking of improvements in the form of resurfacing, repairs, and reconstruction on Regional roads in accordance with Schedule "A" hereto annexed at an estimated cost of \$15,412,000; and
- 2) The financing of the undertaking by the issuance of debentures in the amount of \$10,385,000 over a term not to exceed 20 years by the Regional Municipality of Hamilton-Wentworth;

WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth, did adopt Item 27 of the 5th Report of the Engineering Services Committee on April 4, 1989, which authorized construction of the works described on Schedule "A" hereto;

AND WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth did adopt Item 4 of the 6th Report of the Finance and Personnel Committee on April 4, 1989 which authorized the financing by the Region of the works described in Schedule "A" hereto by the issuance of debentures;

AND WHEREAS pursuant to Section 30 of the Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, c.437, as amended, the Regional Corporation shall maintain and keep in repair the roads included in the regional road system;

AND WHEREAS pursuant to Section 110(1) of the said Regional Municipality of Hamilton-Wentworth Act, the Regional Corporation may borrow money for the purposes of the Regional Corporation and issue debentures therefor on the credit of the Regional Corporation;

AND WHEREAS on the 19th day of April, 1989, the Ontario Municipal Board did grant the application of the Regional Corporation to construct the works described in Schedule "A" hereto and to issue debentures for a sum not exceeding the lesser of \$10,385,000.00 or the net cost of such undertakings for a term not exceeding twenty (20) years.

NOW THEREFORE, the Council of the Regional Municipality of Hamilton-Wentworth enacts as follows:

- 1) The undertaking of the improvements more particularly described in Schedule "A" hereto, is hereby approved at a total estimated cost of \$15,412,000.
- 2) That the cost of the works on Schedule "A" in the amount of \$10,385,000 be financed by the issuance of debentures for a term not to exceed twenty (20) years.
- 3) The Commissioner of Engineering is hereby authorized to:
 - a) prepare all necessary plans, specifications, and reports required for the undertaking of the works; and,
 - b) supervise the undertaking of the works.

- 4) The Regional Chairman, Regional Clerk, and Commissioner of Finance are hereby authorized to execute, on behalf of the Regional Municipality of Hamilton-Wentworth, all contracts necessary for the undertaking of the works.
- 5) Schedule "A" hereto is part of this By-law.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED

This 6th Day of June, A.D. 1989

John Sloan
ACTING Regional Chairman

Approved
as to form
COE
Regional
Solicitor

Philip John
Regional Clerk

SCHEDULE "A"
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
ENHANCED ROAD PROGRAM

Description	Municipality	Estimated Cost	Amount to be Debentured
Lyncke Road Extension	Ancaster	371,000	371,000
York Street - King to Main	Dundas	160,000	160,000
Rymal Road - Upper Ottawa to Nebo	Hamilton	271,000	125,000
St. Joseph's Slope Stabilization of Sherman Cut	Hamilton	549,000	549,000
Golf Link's - Meadowlands	Ancaster	2,328,000	1,071,000
Barton Street - Dewitt to Fruitland	Stoney Creek	2,006,000	1,174,000
Annual Miscellaneous Land Acquisitions	Various	295,000	295,000
Annual Subdivision Road Program	Various	443,000	202,000
Annual Eng., Utilities & Land - Next Year	Various	355,000	355,000
Dartnall Rd. - Stonechurch to Rymal	Hamilton	2,414,000	1,516,000
Hamilton St. - Cedar to John	Flamborough	298,000	50,000
Fennell Ave. - Upper Ottawa to Mtn. Brow Blvd.	Hamilton	1,067,000	1,067,000
Gage Ave. - Burlington St. to Beach Rd.	Hamilton	563,000	563,000
Kenilworth Access - King to Mountain Brow	Hamilton	1,691,000	1,691,000
Upper Gage - Thorley to Stonechurch Rd.	Hamilton	2,601,000	1,196,000
		15,412,000	10,385,000

The Regional Municipality of Hamilton-Wentworth

Bill No. 1489

By-law No. By-law R89-079

Being a By-law to authorize:

- 1) The undertaking of improvements in the form of renovations to Wentworth Lodge and Macassa Lodge in accordance with Schedule "A" hereto annexed at an estimated cost of \$40,170,000; and
- 2) The financing of the undertaking by the issuance of debentures in the amount of \$18,336,000 over a term not to exceed 20 years by the Regional Municipality of Hamilton-Wentworth;

WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth, did adopt Item 4 of the 5th Report of the Health and Social Services Committee on April 4, 1989, which authorized construction of the works described in Schedule "A" hereto;

AND WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth did adopt Item 4 of the 6th Report of the Finance and Personnel Committee on April 4, 1989 which authorized the financing by the Region of the works described in Schedule "A" hereto by the issuance of debentures;

AND WHEREAS pursuant to Section 83(2) of the Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, c.437, as amended, the homes for the aged known as Wentworth Lodge and Macassa Lodge and all the assets and liabilities thereof together with all the real and personal property of such homes vested in the Regional Corporation on January 1, 1974;

AND WHEREAS pursuant to Section 83(1) of the said Regional Municipality of Hamilton-Wentworth Act, the Regional Corporation shall be deemed to be a county for the purposes of the Homes for the Aged and Rest Homes Act and no area municipality has any authority as to the establishment, erection and maintenance of a home for the aged under such Act;

AND WHEREAS pursuant to Section 110(1) of the said Regional Municipality of Hamilton-Wentworth Act, the Regional Corporation may borrow money for the purposes of the Regional Corporation and issue debentures therefor on the credit of the Regional Corporation;

AND WHEREAS on the 19th day of April, 1989, the Ontario Municipal Board did grant the application of the Regional Corporation to construct the works described in Schedule "A" hereto and to issue debentures for a sum not exceeding the lesser of \$18,336,000.00 or the net cost of such undertaking for a term not exceeding twenty (20) years.

NOW THEREFORE, the Council of the Regional Municipality of Hamilton-Wentworth enacts as follows:

- 1) The undertaking of the improvements more particularly described in Schedule "A" hereto, is hereby approved at a total estimated cost of \$40,170,000.
- 2) That the cost of the works in Schedule "A" in the amount of \$18,336,000 be financed by the issuance of debentures for a term not to exceed twenty (20) years.
- 3) The Commissioner of Social Services is hereby authorized to:
 - a) prepare all necessary plans, specifications, and reports required for the undertaking of the works; and,
 - b) supervise the undertaking of the works.

- 4) The Regional Chairman, Regional Clerk, and Commissioner of Finance are hereby authorized to execute, on behalf of the Regional Municipality of Hamilton-Wentworth, all contracts necessary for the undertaking of the works.
- 5) Schedule "A" hereto is part of this By-law.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED

This 6th Day of June, A.D. 1989

Ken Strat
ACTING Regional Chairman

Approved
as to form
DOE
Regional
Solicitor

Michael
Regional Clerk

SCHEDULE "A"

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
RENOVATIONS TO WENTWORTH AND MACASSA LODGES

Description	Estimated Cost	Amount to be Debentured
Renovations to Wentworth Lodge and Macassa Lodge	40,170,000 *	18,336,000 *

* Reconciliation of Estimated Cost and Debenture Financing:

	(S000'S)
Gross Cost per 1989-1993 Capital Budget	\$37,262
Gross Cost for 1994	2,908
Total Gross Cost	\$40,170
Less: Subsidies - MCSS	19,008
Financing from Internal Reserves	2,826
EXTERNAL FINANCING REQUIRED	\$18,336

The Regional Municipality of Hamilton-Wentworth

Bill No. 1490

By-law No. R89-080

Being a By-law to authorize:

- 1) The undertaking of improvements in the form of a new police headquarters in accordance with Schedule "A" hereto annexed at an estimated cost of \$7,119,000; and
- 2) The financing of the undertaking by the issuance of debentures in the amount of \$6,776,000 over a term not to exceed 20 years by the Regional Municipality of Hamilton-Wentworth;

WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth, did adopt Item 4 of the 6th Report of the Finance and Personnel Committee on April 4, 1989, which authorized construction of the works described on Schedule "A" hereto;

AND WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth did adopt Item 4 of the 6th Report of the Finance and Personnel Committee on April 4, 1989 which authorized the financing by the Region of the works described in Schedule "A" hereto by the issuance of debentures;

AND WHEREAS pursuant to Section 95 of the Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, c.437, as amended, the Regional Corporation shall provide all real and personal property for the purposes of the Hamilton-Wentworth Police Board;

AND WHEREAS pursuant to Section 110(1) of the said Regional Municipality of Hamilton-Wentworth Act, the Regional Corporation may borrow money for the purposes of the Regional corporation and may issue debentures therefor on the credit of the Regional Corporation;

AND WHEREAS on the 19th day of April, 1989, the Ontario Municipal Board did grant the application of the Regional Corporation to construct the works described in Schedule "A" hereto and to issue debentures in a sum not exceeding the lesser of \$6,776,000.00 or the net cost of such undertaking for a term not exceeding twenty (20) years.

NOW THEREFORE, the Council of the Regional Municipality of Hamilton-Wentworth enacts as follows:

- 1) The undertaking of the improvements more particularly described in Schedule "A" hereto, is hereby approved at a total estimated cost of \$7,119,000.
- 2) That the cost of the works on Schedule "A" in the amount of \$6,776,000 be financed by the issuance of debentures for a term not to exceed twenty (20) years.
- 3) The Commissioner of Finance is hereby authorized to:
 - a) prepare all necessary plans, specifications, and reports required for the undertaking of the works; and,
 - b) supervise the undertaking of the works.

- 4) The Regional Chairman, Regional Clerk, and Commissioner of Finance are hereby authorized to execute, on behalf of the Regional Municipality of Hamilton-Wentworth, all contracts necessary for the undertaking of the works.
- 5) Schedule "A" hereto is part of this By-law.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED

This 6th Day of June, A.D. 1989

Ann Sloat
ACTING Regional Chairman

Approved
as to form
DOE
Regional
Solicitor

Mike John
Regional Clerk

SCHEDULE "A"
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
NEW POLICE HEADQUARTERS

Description	Estimated Cost	Amount to be Debentured
New Police Headquarters	7,119,000	6,776,000

BILL NO. 1491

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89- 081

To exempt the occupiers of certain shops from the provisions
of the Regional Store Closing By-law No. R79-202.

WHEREAS upon application of certain shops outlined on Schedule "A" to this By-law, it has been recommended by the Regional Legislation and Reception Committee that such shops be exempt from the store closing hours on the dates and at the times indicated.

NOW THEREFORE the Council of the Regional Municipality of Hamilton-Wentworth
ENACTS AS FOLLOWS:

1. THAT the occupiers of the shops named on Schedule "A" attached to this By-law are hereby exempt from the closing provisions of Section 2(1) (b) of Regional By-law No. R79-202 and may remain open for business on the dates and at the times indicated.
2. That all other provisions of Regional By-law No. R79-202 are to remain in full force and effect for the shops described in Schedule "A" of this By-law.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND
ENACTED this 6th day of June, 1989.

ACTING
Chairman

Clerk

(2)

SCHEDULE "A"

TO BY-LAW NO. R89-

Shops referred to in By-law No. R89- and located at the respective locations.

That the following retail shop(s) in the Area Municipality of Hamilton be exempted from Regional By-law No. R79-202 for the purpose of holding a special sale on the date(s) and at the time(s) indicated:

1. HAMILTON Downtown Hamilton B.I.A.
Friday, June 23, 1989
9:00 p.m. to 11:59 p.m.

Catherine Street Zoo
080 King William Street
Hamilton, Ontario L8N 1G6
Att:

Adventure Attic
Catherine Street North
Hamilton, Ontario
Att: Mr. Angelo Gant
528-3397

Allergy Clinic
105 Main St. E., #204 - Effort Square
Hamilton, Ontario L8N 1G6
Att: Dr. Azhar Bishay
528-3855

Arbor Florists
010 John St. N.
Hamilton, Ontario L8R 1G9
Att: Mrs. Mryna Evel
528-8423

Associates in Hair
020 King St. E.
Hamilton, Ontario L8N 1A4
Att: Ms. Gail Redbourne
529-7933

Lifeco Travel Resources (Hamilton)
112 King St. E., #204
Hamilton, Ontario L8N 1A8
Att:
522-1131

(3)

SCHEDULE "A"
TO BY-LAW NO. R89-

HAMILTON Downtown Hamilton B.I.A., Cont'd
Friday, June 23, 1989
9:00 p.m. to 11:59 p.m.

Audrey Hairstyling
151 King St. E.
Hamilton,, Ontario L8N 1B1
Att: Mrs. Audrey Mauthe
522-0063

Audrey Hairstyling & Esthetics
151 King St. E.
Hamilton, Ontario L8L 1B1
Att:
522-0063

Bannister's
095 King St. E.
Hamilton, Ontario L8N 1A9
Att: Ms. Sue Lee
527-0751

Bata/Atheletes World
Hamilton, Ontario
Att:
525-4219

Billy Rose Palace
054 King St. E.
Hamilton, Ontario L8N 1A6
Att: Mr. Al Martin
525-5454

Botega Shoe Salon
119 King St. E.
Hamilton,, Ontario L8N 1A9
Att: Mr. Dino Mirro
523-4126

Brats Boutique
140 King St. E. - Effort Square
Hamilton, Ontario L8N 1B2
Att: Ms. Betty Simmonds
522-7287

(4)

SCHEDULE "A"
TO BY-LAW NO. R89-

HAMILTON Downtown Hamilton B.I.A., Cont'd

Friday, June 23, 1989

9:00 p.m. to 11:59 p.m.

Brian House of Hair Design
094 King St. E.
Hamilton, Ontario L8N 1A8
Att: Ms. Pat Griffin
522-5663

Bruno's School of Hair Design
117 King St. E.
Hamilton, Ontario L8N 1A9
Att: Mrs. Jean Galante
528-0428

Cambrian Parsons
018 King St. E.
Hamilton, Ontario L8N 1A3
Att: Sheila Cathy
529-8131

Campbell & Patterson Ltd.
032 James St. S., #608
Hamilton, Ontario L8P 2Y1
Att: Mr. Peter Allen
526-0922

Canaan Restaurant
King Street East
Hamilton, Ontario
Att: Mr. Ricky Kawok
529-7744

Capri Pizza & Spaghetti Tavern
023 John St. N.
Hamilton, Ontario L8R 1H1
Att: Mr. Matteo Spedaliere
525-7811

Cerelli Jewellers Inc.,
105 Main St. E., #510 - Effort Square
Hamilton, Ontario L8N 1G6
Att: Mr. Mark Kuper
521-6466

Cheapies Records & Tapes
087 King St. E.
Hamilton, Ontario L8N 1A9
Att: Mr. Brian Jasson
523-0296

(5)

SCHEDULE "A"
TO BY-LAW NO. R89-

HAMILTON Downtown Hamilton B.I.A., Cont'd
Friday, June 23, 1989
9:00 p.m. to 11:59 p.m.

Chester's
060 King St. E.
Hamilton, Ontario L8N 1A6
Att: Mr. Elias Robis
529-9568

Christopher's Fast Food & Donuts
073 King St. E.
Hamilton, Ontario L8N 1A5
Att: Mr. Robert Tournidis
523-1888

Cineplex Odeon Corporation
50 King St. E.
Hamilton, Ontario L8N 1B2
Att:

Clässique Jewellers
1 Glenfern Ave.
Hamilton, Ontario L8P 2T6
Att: Mr. N. Soliman

Classique Jewellers
King Street East
Hamilton, Ontario
Att: Mr. S. Jamkoojian
528-1090

Cloke's Office Design Centre
082 King St. E.
Hamilton, Ontario L8N 1A8
Att: Mr. Dick Querney
547-9534

Coconut Grove Lounge
161 King St. E.
Hamilton, Ontario L8N 1B1
Att: Ms. Venetia Rowling
528-6881

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SCHEDULE "A"
TO BY-LAW NO. R89-

HAMILTON Downtown Hamilton B.I.A., Cont'd
Friday, June 23, 1989
9:00 p.m. to 11:59 p.m.

Coffee Plus+
109 King St. E.
Hamilton, Ontario L8N 1A9
Att: Ms. Lorain Beraldo
527-5775

Commonwealth Hospitality Ltd.
150 King St. E.
Hamilton, Ontario L8N 1A8
Att: Mr. Tony Miele
528-3451

Connaught Lottery Terminal
140 King St. E. - Effort Square
Hamilton, Ontario L8N 1B2
Att: Mr. Lou Falco
528-8559

Jennifer Cox
094 King St. E., Bsmt.
Hamilton, Ontario L8N 1A8
Att: Ms. Jennifer Cox

Dick's Shoes
096 King St. E.
Hamilton, Ontario L8N 1A8
Att: Mr. Tom Jackson
522-9584

Crazy Lee's Clothing Company
King Street East
Hamilton, Ontario
Att: Ms. Teresa Djonovich
528-8087

Dr. Azhar Bishay, Allergy Clinic
Main Street East #904
Hamilton, Ontario L8N 1G6
Att: Dr. Azhar Bishay
528-3855

(7)

SCHEDULE "A"
TO BY-LAW NO. R89-

HAMILTON Downtown Hamilton B.I.A., Cont'd

Friday, June 23, 1989

9:00 p.m. to 11:59 p.m.

Dr. Kenneth Lam/Dr. Helena Sze
Main Street East #1409
Hamilton, Ontario L8N 1G6
Att: Dr. Kenneth Lam
522-2545

Dr. Paul Christianson
032 James St. S., #615
Hamilton, Ontario L8P 2Y1
Att: Dr. Paul Christianson
527-1857

Dragon Court
21 John St. N.
Hamilton, Ontario L8R 1H1
Att: Mr. Hu
521-1972

Family Bargains
121 James St. North
Hamilton, Ontario
At: Ms. Yu June

Fay Jackson Ltd.,
157 King St. E.
Hamilton, Ontario L8N 1B1
Att: Mrs. Baker
523-7411

Gaslight
019 John St. S.
Hamilton, Ontario L8N 2B8
Att: Mr. Michael Wood
526-0983

(8)

SCHEDULE "A"
TO BY-LAW NO. R89-

HAMILTON Downtown Hamilton B.I.A., Cont'd
Friday, June 23, 1989
9:00 p.m. to 11:59 p.m.

Gateway Cigar Store
King Street West P1 Level
Hamilton, Ontario
Att:

Gino's Pizza
163 King St. E.
Hamilton, Ontario L8N 1B1
Att: Mr. Xuan Ly
528-2666

Globe Realty Management Ltd.
032 James St. S., Bmt
Hamilton, Ontario L8P 2Y1
Att: Mr. Laurie Tychinsky
529-4053

Gold's Gym
041 Catherine St. N.
Hamilton, Ontario L8R 3J9
Att: Mr. Nev Cipolla
529-4653

Granada Canada
065 King St. E.
Hamilton, Ontario L8N 1A5
Att: Mr. Ralph Parillo
528-1416

Rainbow Parking
105 King St. E.
Hamilton, Ontario L8N 1A9
Att: Mr. Joel Ginsberg

Granada Restaurant
062 King St. E.
Hamilton, Ontario L8N 1A6
Att: Mr. Elias Robis
527-2149

SCHEDULE "A"
TO BY-LAW NO. R89-

HAMILTON Downtown Hamilton B.I.A., Cont'd
Friday, June 23, 1989
9:00 p.m. to 11:59 p.m.

Grandma Lee's
024 King St. E.
Hamilton, Ontario L8N 1A3
Att: Mr. Peter Maj
523-0201

Grapes n Things
103 King St. E.
Hamilton, Ontario L8N 1A9
Att: Mr. Paul Pappas
526-1121

Greco Shoes Rebuilders
012 John St. N.
Hamilton, Ontario L8R 1G9
Att: Mr. Francesco Greco
527-0712

Guardian Drugs/Terminal Towers Pharmacy
201 Main St. E.
Hamilton, Ontario L8N 1G5
Att: Mr. Peter Leung
527-1545

Hair Care Beauty Centre
140 King St. E. - Lower Level
Hamilton, Ontario L8N 1B2
Att: Ms. Vesna Dosen
527-3792

Ham. Musical Instr. Showcase Ltd.
027 John St. N.
Hamilton, Ontario L8R 1H1
Att:

Hamilton Car Park Ltd.
105 Main St. E., #914 - Effort Square
Hamilton, Ontario L8N 1G6
Att: Mr. Morris Leibtag
522-0612

SCHEDULE "A"
TO BY-LAW NO. R89-

HAMILTON Downtown Hamilton B.I.A., Cont'd
Friday, June 23, 1989
9:00 p.m. to 11:59 p.m.

(Hamilton Contact Lens Centre
115 Main St. E.
Hamilton, Ontario L8N 1G5
Att: Mr. Stephen Kemp
525-2192

Hamilton Gold Centre
153 King St. E.
Hamilton, Ontario
Att: Mr. Rudy Sauro
523-0711

Humanist Institute
(105 Main St. E., #301 - Effort Square
Hamilton, Ontario L8N 1G6
Att: Mr. George Marton
528-4544

Ingeborg Shoes Ltd.
140 King St. E. - Effort Square
Hamilton, Ontario L8N 1B2
Att: Mr. Ralph Hackett
522-8466

Isis Group
001 Hughson St. N., 5th Floor,
Hamilton, Ontario L8R 3E6
Att: Mrs. Mary Pocius
526-8472

Jack Harber Ltd.
(092 King St. E., #850
Hamilton, Ontario L8N 1A8
Att: Mr. Jack Harber
522-5724

Jacobsen Books & News,
King St. E.
Hamilton, Ontario L8N 1A1
Att: Mr. Frank Soberg
527-5454

James Beattie Barber Shop
112 King St. E.
Hamilton, Ontario L8N 1A8
Att: Mr. James Beattie
527-5071 x6527

SCHEDULE "A"
TO BY-LAW NO. R89-

HAMILTON Downtown Hamilton B.I.A., Cont'd

Friday, June 23, 1989

9:00 p.m. to 11:59 p.m.

James Jewellers (Hamilton) Ltd.
016 John St. N.
Hamilton, Ontario L8R 1G9
Att: Mr. Jim Suenaga
528-2709

Jewill Brothers Bookstore
140 King St. E. - Effort Square
Hamilton, Ontario L8N 1B2
Att: Mr. Andre Chenier
527-1394

Juliana's Fashion Salon Ltd.
035 King St. E.
Hamilton, Ontario L8N 1A1
Att: Mrs. Kay Mazur
521-9005

Karrum Amusement Ltd.,
061 King St. E.
Hamilton, Ontario L8N 1A5
Att: Ms. Lyla Netham

Karrum Amusements Ltd.
079 King St. E.
Hamilton, Ontario L8N 1A5
Att: Ms. Lyla Netham
523-4360

Kelsey's
035 King St. E. (Park Place)
Hamilton, Ontario L8N 1A1
Att: Mr. Ron Lee
528-7565

King & James Convenience
King St. E.
Hamilton, Ontario L8N 1A1
Att: Mr. Larry Bai
529-9941

Klassy T-Shirt Ltd.
101 King St. E.
Hamilton, Ontario L8N 1A9
Att: Mr. Gary Scott
525-5333

SCHEDULE "A"
TO BY-LAW NO. R89-

HAMILTON Downtown Hamilton B.I.A., Cont'd

Friday, June 23, 1989

9:00 p.m. to 11:59 p.m.

EXPRESSO'S SNACK AND Coffee SHOP

032 James St. S., Bsmt
Hamilton, Ontario L8P 2Y1
Att: Ms. Klevas Margarita

521-9851

Kodak Canada Inc.

King Street West - 15th Floor
Hamilton, Ontario

Att:

528-5714

Kresege's Canada Ltd.,

043 King St. E.

Hamilton, Ontario L8N 1A1

Att: Mr. Frank Caltagirone

528-7041

Laarakker Studio

105 Main St. E., 1502 - Effort Square

Hamilton, Ontario L8N 1G6

Att: Mrs. Sigrid Laarakker

522-1051

LaBelle De France Inc.,

140 King St. E.

Hamilton, Ontario L8N 1B3

Att: Ms. Carmen Cifani

525-5740

Laqua Furs of Canada Inc.

147 King St. E.

Hamilton, Ontario L8N 1B1

Att: Mr. Andreas Laqua

527-6511

Leed's of Hamilton Ltd.

125 King St. E.

Hamilton, Ontario L8N 1A9

Att: Mr. Wilf Gerofsky

525-6267

SCHEDULE "A"
TO BY-LAW NO. R89-

HAMILTON Downtown Hamilton B.I.A., Cont'd
Friday, June 23, 1989
9:00 p.m. to 11:59 p.m.

Lens & Shutter Ltd.,
140 King St. E. - Effort Square
Hamilton, Ontario L8N 1B2
Att: Mr. Roger Burrough
523-0563

Life Management Centre
192 King St. W., Suite 864
Hamilton, Ontario
Att: Mr. Garth Hattersley
523-7424

Loess Lawyers Computers
001 Hughson St. N. 6th Floor
Hamilton, Ontario L8R 3L7
Att:
522-8702

Louis DeRuiter
094 King St. E.
Hamilton, Ontario L8N 1K8
Att: Mr. Louis DeRuiter

Lunsbury Parking
King William St.
Hamilton,, Ontario
Att: Mrs. Irene Hubar
529-6644

Magicut's Inc.
153 King St. E.
Hamilton, Ontario L8N 1A5
Att: Ms. Iona Miller
523-0554

Majestic Sound Warehouse
King St. E.
Hamilton, Ontario L8N 1A1
Att: Mr. Pat McKenna
529-1944

Margo's Lingerie
140 King St. E. - Effort Square
Hamilton, Ontario L8N 1B2
Att: Ms. Margo Singer
522-6052

(14)

SCHEDULE "A"
TO BY-LAW NO. R89-

HAMILTON Downtown Hamilton B.I.A., Cont'd

Friday, June 23, 1989

9:00 p.m. to 11:59 p.m.

McDonald's Restaurant
191 King St. E.
Hamilton, Ontario L8N 1A5
Att: Mr. Mark Cwierdzinski
526-0980

Markel Ltd.
092 King St. E., #854
Hamilton, Ontario L8N 1A8
Att: Mr. Harry Kelman
529-9020

Marvin Caplan Gentlemen's Apparel
140 King St. E. - Effort Square
Hamilton, Ontario L8N 1B2
Att: Mr. Marvin Caplan
522-0633

Marvin Dyck
105 Main St. E., #1008 - Effort Square
Hamilton, Ontario L8N 1B6
Att: Mr. Marvin Dyck
526-7395

Melray Manufacturing Jewellers
027 John St. N. 2nd Floor
Hamilton, Ontario L8R 1H1
Att: Mr. Ray Mariutti
529-8423

Mulligan's Restaurant
030 King St. E.
Hamilton, Ontario L8N 1A3
Att:

Musicland Studios
153 King St. E., 2nd Floor
Hamilton, Ontario L8N 1B1
Att: Mr. Gary Kuzyk
521-2141

My Very Own Book
140 King St. E. - Effort Square
Hamilton, Ontario L8N 1B2
Att: Mr. Arthur Cook
572-6654

SCHEDULE "A"
TO BY-LAW NO. R89-

HAMILTON Downtown Hamilton B.I.A., Cont'd

Friday, June 23, 1989

9:00 p.m. to 11:59 p.m.

Nadel Furs Inc.

137 King St. E.

Hamilton, Ontario L8N 1B1

Att: Mrs. Roula Konstantinidis
522-8300

Nails 'n Lashes

140 Main St. E.

Hamilton, Ontario

Att: Ms. Sandra

528-8355

New Theatre Group

153 King St. E., Back

Hamilton, Ontario L8N 1B1

Att: Ms. Dee McCafferty

New Horizon Sailing

092 King St. E., #1150

Hamilton, Ontario L8N 1A8

Att: Mr. Rick Gane

527-3003

Oliver's

059 King St. E.

Hamilton, Ontario L8N 1A5

Att: Mr. Oliverio Rocco

527-0262

(Olympia Beauty Centre

King Street East

Hamilton, Ontario

Att: Mr. Frank De Fassio

528-6206

Original Panzerotto & Pizza

003 King St. E.

Hamilton, Ontario L8N 1A1

Att: Mr. Larry Bennett

524-2721

Pagoda Chop Suey Restaurant

King Street East

Hamilton, Ontario

Att: Mr. Raymond Fong

522-6766

SCHEDULE "A"
TO BY-LAW NO. R89-

HAMILTON Downtown Hamilton B.I.A., Cont'd
Friday, June 23, 1989
9:00 p.m. to 11:59 p.m.

Paramount Discount Corp.,
105 Main St. E., #502 - Effort Square
Hamilton, Ontario L8N 1G6
Att: Mr. Sol Minden
527-9146

Parlour Shoe Shine
112 King St. E.
Hamilton, Ontario L8N 1A6
Att: Mr. Lucio Barcaroli
522-5389

Password Communications
122 Hughson St. S.
Hamilton, Ontario L8N 2B2
Att:

Paul's Shoe Repair
517 John St. N.
Hamilton, Ontario L8R 1H1
Att: Mr. Paul Seferian
529-8696

Peaches
King Street East - Effort Square Street L
Hamilton, Ontario
Att: Mr. Dan Plumber
528-3451

Perell Travel Centres
71 Main St. E.
Hamilton, Ontario L8N 1G2
Att: Ettie Perell
525-3830

153 King St. E.
Hamilton, Ontario L8N 1B1
Att: Ms. Teresa Pettit

Pick-a-Deli Square
502 James St. N.
Hamilton, Ontario L8R 2J9
Att: Mr. John Vergadis
523-8099

SCHEDULE "A"
TO BY-LAW NO. R89-

HAMILTON Downtown Hamilton B.I.A., Cont'd
Friday, June 23, 1989
9:00 p.m. to 11:59 p.m.

Public Optical
164 King St. E.
Hamilton, Ontario L8N 1B3
Att: Mr. George Joseph
527-1591

Quon & Associates Ltd.
020 Hughson St. S., #602
Hamilton, Ontario L8N 2A1
Att: Mr. Edward Quon
525-9033

Rainbow Shops
105 King St. E.
Hamilton, Ontario L8N 1A9
Att: Mr. Barry Sobel
529-1164

Record World
089 King St. E.
Hamilton, Ontario L8N 1A9
Att: Mr. Brian Jasson
529-3395

Regent Florist
Hamilton, Ontario L8N 1A5
Att:
521-1570

Reggie's Music & Sound
027 John St. N.
Hamilton, Ontario L8R 1H1
Att: Mr. Reggie Titian
528-6739

Rendezvous Take Home Stores/Kentucky Fried Chicken
027 John St. S.
Hamilton, Ontario L8N 2B8
Att: Mr. Charles Vizzini
522-3891

Romeo's Interiors Ltd.
140 King St. E. - Effort Square
Hamilton, Ontario L8N 1B2
Att: Mr. Romeo Bozzo
529-2772

SCHEDULE "A"
TO BY-LAW NO. R89-

HAMILTON Downtown Hamilton B.I.A., Cont'd
Friday, June 23, 1989
9:00 p.m. to 11:59 p.m.

Ross & McBride
001 King St. W., 10th Floor
Hamilton, Ontario L8N 3H4
Att: Mr. Gerry Murphy
526-9800

Royal Connaught Gift Shop
12 King St. E.
Hamilton, Ontario L8N 1A8
Att: Ms. Laura Susanna
527-5735

Royal Connaught Hotel
112 King St. E.
Hamilton, Ontario L8N 1A8
Att: Mr. Bocker
527-5071

Sam The Record Man/Springstead Enterprise
017 King St. E.
Hamilton, Ontario L8N 1A1
Att: Mr. Mark Springstead
526-6035

Sami Mahal Restaurant
161 King St. E.
Hamilton, Ontario L8N 1B1
Att:

Ross' Ladies Wear
149 King St. E.
Hamilton, Ontario L8N 1B1
Att: Mr. Joe Ross
527-4013

Sandlin's Gem Creations Ltd.,
071 King St. E.
Hamilton, Ontario L8N 1A6
Att: Mr. Franklin Cox
529-6455

Second Fiddle Ltd.
King St. E.
Hamilton, Ontario L8N 1A1
Att: Ms. Kim Preston
523-5948

SCHEDULE "A"
TO BY-LAW NO. R89-

HAMILTON Downtown Hamilton B.I.A., Cont'd

Friday, June 23, 1989

9:00 p.m. to 11:59 p.m.

Shoe Blitz Inc.,
029 John St. N.
Hamilton, Ontario L8R 1H1
Att: Mr. Greg Adoranti
522-8830

Signor Angelo
035 King St. E.
Hamilton, Ontario L8N 1A1
Att:
328-9700

Simpact International
001 Hughson St. N., 5th Floor,
Hamilton, Ontario L8R 3L6
Att: Mr. Ted Hall
526-8472

Simpson Wigle
20 King St. W. Suite 1030
Hamilton, Ontario L8N 3A9
Att: Mr. Benjamin Wigle
528-8411

Skinner Opticians
015 John St. N.
Hamilton, Ontario L8R 1H1
Att: Mrs. Barbara Skinner
529-5274

South Side
028 King St. E.
Hamilton, Ontario L8N 1A3
Att: Mr. David Lee
521-0466

Sport Zone
041 Catherine St. N.
Hamilton,, Ontario L8R 3 T9
Att:

Square D Co. Canada Ltd.
105 Main St. E., #1407 - Effort Square
Hamilton, Ontario L8N 1G6
Att: Mr. Rick Hrynik
528-0149

SCHEDULE "A"
TO BY-LAW NO. R89-

HAMILTON Downtown Hamilton B.I.A., Cont'd
Friday, June 23, 1989
9:00 p.m. to 11:59 p.m.

Stanley Cooper Travel Inc.,
092 King St. E., #1156
Hamilton, Ontario L8N 1A8
Att: Ms. Bonnie Gallienne
525-3343

Steve's Fur & Leather Ltd.
026 John St. N.
Hamilton, Ontario L8R 1G9
Att: Mr. John Saltis
529-4194

Studio 3
58 King St. E., 2nd Floor
Hamilton, Ontario L8N 1A6
Att: Mr. Ralph Corvino
529-9477

Studio 33
024 King St. E., 3rd Floor
Hamilton, Ontario L8N 1A3
Att: Mr. Hans DeGroot
527-6133

Subway Sandwiches & Salads
King Street East
Hamilton, Ontario
Att: Mr. Frank Marchionda
572-7821

Summa Gallery
King Street East - Suite A
Hamilton, Ontario
Att:

Super Bargain
168 King St. E.
Hamilton, Ontario L8N 1B4
Att: Mr. Joe Guhn-Ho
521-1164

(21)

SCHEDULE "A"
TO BY-LAW NO. RS9-

HAMILTON Downtown Hamilton B.I.A., Cont'd
Friday, June 23, 1989
9:00 p.m. to 11:59 p.m.

Super Convenience
077 King St. E.
Hamilton, Ontario L8N 1A5
Att: Mr. Ray Jo
523-1612

Tally-Ho Restaurant
091 King St. E.
Hamilton, Ontario L8N 1A9
Att: Mr. Len Damingnai
523-1393

Terminal Towers Pharmacy/Guardian Drugs
101 Main St. E.
Hamilton, Ontario L8N 1G4
Att: Mr. Peter Leung
527-1545

Terminal Tailor Shop
140 King St. E. - Lower Level
Hamilton, Ontario L8N 1B2
Att: Mr. Vince Cozzitorto
528-9282

The Clubhouse
006 John St. N.
Hamilton, Ontario L8R 1G9
Att: Mr. Ron Tustian
523-7722

Juliana's Fashion alone Limited
035 King St. E.
Hamilton, Ontario L8N 1A1
Att:

The Golden Cue
095 King St. E., 2nd Floor
Hamilton, Ontario L8N 1A9
Att: Mr. George Lemaich
527-9540

The Pagoda Chop Suey Restaurant
085 King St. E.
Hamilton, Ontario L8N 1A9
Att: Mr. Raymond Fong
522-6766

SCHEDULE "A"
TO BY-LAW NO. R89-

HAMILTON Downtown Hamilton B.I.A., Cont'd
Friday, June 23, 1989
9:00 p.m. to 11:59 p.m.

The Printing House
111 King St. E.
Hamilton, Ontario L8N 1A9
Att: Mr. Greg Sloan
522-4008

The UCS Group
Overlea Blv.
Toronto, Ontario M4M 1B9
Att:

Tone Athletics
140 King St. W. -
Hamilton, Ontario L8S 1K1
Att: Mr. Dean Taylor
528-6842

Tony's Corner
030 John St. N.
Hamilton, Ontario L8R 1G9
Att: Mr. Tony Aitzis
523-8377

Tosoian Portraits
112 King St. E.
Hamilton, Ontario L8N 1A8
Att: Mr. Martin Tosoian
523-1007

Tower Smoke & Gift Shop
140 King St. E. - Effort Square
Hamilton, Ontario L8N 1B2
Att: Mr. John Lee
527-7485

Toy Town Troupers Theatre Inc.,
153 King St. E., 3rd Floor
Hamilton, Ontario L8N 1B1
Att: Mr. Nigel Sloan
527-1766

Uncle Tommy's
035 John St. S.
Hamilton, Ontario L8N 2B8
Att: Mr. Christopher Tarpos
525-3065

SCHEDULE "A"
TO BY-LAW NO. R89-

HAMILTON Downtown Hamilton B.I.A., Cont'd
Friday, June 23, 1989
9:00 p.m. to 11:59 p.m.

Valu-Mart
140 King St. E. - Lower Level
Hamilton, Ontario L8N 1B2
Att: Mr. George Woychenko
521-5705

(Vinton's
King Street East
Hamilton, Ontario
Att: Mr. Mark Mickle
527-5071

Victoria Jewellery & Watch Co.
140 King St. E. - Effort Square
Hamilton, Ontario L8N 1B2
Att: Mr. Louis Chow
527-7014

Mr. Robert Wasserman
105 Main St. E., #1400
Hamilton, Ontario L8N 1B6
Att: Mr. Robert Wasserman

Wendy's
107 King St. E.
Hamilton, Ontario L8N 1A2
Att: Ms. Nancy Raymond
523-1870

Whelking World Ltd.,
(140 King St. E. - Effort Square
Hamilton, Ontario L8N 1B2
Att: Mr. Clair Sellens
522-1368

Wright's Cleaners
140 King St. E. - Lower Level
Hamilton, Ontario L8N 1B2
Att: Mr. Allan Wright
527-0581

Woolworth's
1019 King St. E.
Hamilton, Ontario L8N 1A1
(Att: Mr. Martin Kampen
527-1555

SCHEDULE "A"
TO BY-LAW NO. RS9-

HAMILTON Downtown Hamilton B.I.A., Cont'd
Friday, June 23, 1989
9:00 p.m. to 11:59 p.m.

Young Drivers of Canada
020 King St. E.
Hamilton, Ontario L8N 1A4
Att: Mr. Ken Wilden
527-7515

Yuk Yuk's
112 King St. E.
Hamilton, Ontario L8N 1A8
Att: Mr. Donnie Coy
522-5233

~~Ze~~ Can-Am Books
19 John St. N.
Hamilton, Ontario L8R 1H1
Att: Mr. Ollie Deihent
527-3555

Zippy Print
006 Catherine Street North
Hamilton, Ontario L8R 1H8
Att: Ms. Barbara Price
529-1606

(28)

SCHEDULE "A"
TO BY-LAW NO. R89-

Hamilton

Saturday, July 15, 1989

AND

Saturday, November 25, 1989

9:00 p.m. to 11:59 p.m.

Centre Mall

1227 Barton St. E.
Hamilton, Ontario

Station Coton
St. Clair Paints
Sears
Shirt Stop

Shoppers Drug Mart
Singer
WH Smith
Stitches
Suzy Shier
Smart Set
Ti Amo
Tea Masters
Tim Hortons
Thrifty's
Tip Top
Toys and Wheels
Town & Country
Tridont Dental
Torcans
Transit Shop
Tropicarium
United Cigar Store
Unisex Alterations
Valentino's
Walters
Watch Clock
Woolskins
R.G. Winners
Wizards Castle
Young Canada
Workworld

(27)

SCHEDULE "A"
TO BY-LAW NO. R89-

Hamilton

Saturday, July 15, 1989

AND

Saturday, November 25, 1989

9:00 p.m. to 11:59 p.m.

Centre Mall

1227 Barton St. E.
Hamilton, Ontario

K Mart
Kernals
Key Shop
Lady Footlocker
Laura Secord
Le Chateau
Lindor
Liz Porter
Langley Parisian
Levis 1850
Lenscrafters
Magnifico
Maher Shoes
Majestic
Manchu Wok
Mariposa
Marlin Travel
Max Brown
Moore's
Mr. Submarine
MMMuffins
Music World
Moneysworth and Best
National Bakery
National Trust
Naturalizer
New York Fries
Oaks Gallery
Orange Julius
Ostranders
Pantorama
Parrs Sausage
Pennington
Peoples
Province of Ontario Savings Office
Pro Image
Radio Shack
Reitmans
Rizzo Shoes
Robinsons
Royal Bank

(26)

SCHEDULE "A"
TO BY-LAW NO. R89-

Hamilton

Saturday, July 15, 1989

AND

Saturday, November 25, 1989

9:00 p.m. to 11:59 p.m.

Centre Mall

1227 Barton St. E.
Hamilton, Ontario

Canada Post
Canada Trust
C.I.B.C.
Canadian Tire
Card Shop
Cineplex
Coles
Coconut Joe
Copper Creek
Cotton Ginny
Centre Mall Shoe Repair
D'Allairs
Discus
Dominion Furniture
Don Carlos
Daniels
Emotions
Excel Tees
Faces
Fairweather
Flash
Footlocker
General Nutrition
Graham's
Grand & Toy
Haircrafters
Hallmark
Hollywood Hair
Hearth Restaurant
Infoplace
Ipco Optical
It Store
Japan Camera

Jean Machine
Jim's Nut Shack
Jordan Wines
Julia Shoes
Just Dresses
Just Kids

(25)

SCHEDULE "A"
TO BY-LAW NO. R89-

2. Dundas Friday, June 23, 1989
AND
Saturday, June 24, 1989
9:00 p.m. to 11:59 p.m.
Maple Cyclery Inc. 63 King St. W.
Dundas, Ontario
3. Stoney Creek Monday, August 7, 1989 Civic Holiday
10:00 a.m. to 6:00 p.m.
Dan's Fan City 2491 Barton St. E.
Stoney Creek, Ontario
4. Hamilton Monday, August 7, 1989 Civic Holiday
9:00 a.m. to 6:00 p.m.
Towers Dept. Store 640 Queenston Road
Hamilton, Ontario
5. Hamilton Monday, August 7, 1989 Civic Holiday
10:00 a.m. to 6:00 p.m.
Dan's Fan City 1171 Upper James St.
Hamilton, Ontario
6. Hamilton Saturday, July 15, 1989
AND
Saturday, November 25, 1989
9:00 p.m. to 11:59 p.m.
Centre Mall 1227 Barton St. E.
Hamilton, Ontario

A&P
A&W
Aggies
Agnew
Antonio's
Apogee Photo
Atlantic
Au Coton
Baskin Robins
Bata Shoes
Bi Way
Big Steel Man
Birks
Blacks
Brass Shack
Budget Optical
Bulk Barn
Brewers Retail
Bread Basket

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-082

To confirm the proceedings of the Council at its meeting held on the following date:

THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. The Action of the Council at its meeting held on the 6th day of June, 1989, in respect of each recommendation contained in the Reports of its Committees.

<u>NAME</u>	<u>NO.</u>
Special Airport Committee Report	06-89
Economic Development and Planning Committee Report	10-89
Engineering Services Committee Report	10-89 as amended
Freeway Steering Committee Report	07-89
Health and Social Services Committee Report	10-89
Legislation and Reception Committee Report	06-89 as amended

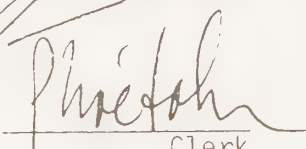
and Regional Officials

<u>NAME</u>	<u>NO.</u>
Chairman's Report	10-89 as amended

considered by Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the Council at its said meetings, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Chairman of the Council and the proper officials of the Regional Municipality are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and, except where otherwise provided, the Chairman, the Clerk and the Treasurer are hereby directed to execute all documents necessary in that behalf, and the Clerk is hereby authorized and directed to affix the Corporate Seal of the Regional Corporation to all such documents.

READ A FIRST, SECOND AND THIRD TIME and Finally Passed and Enacted this 6th, day of June, 1989.


Chairman

Clerk

BILL NO. 1493

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89- 083

To exempt the occupiers of certain shops from the provisions of the Regional Store Closing By-law No. R79-202.

WHEREAS upon application of certain shops outlined on Schedule "A" to this By-law, it has been recommended by the Regional Legislation and Reception Committee that such shops be exempt from the store closing hours on the dates and at the times indicated.

NOW THEREFORE the Council of the Regional Municipality of Hamilton-Wentworth ENACTS AS FOLLOWS:

1. THAT the occupiers of the shops named on Schedule "A" attached to this By-law are hereby exempt from the closing provisions of Section 2(1) (b) of Regional By-law No. R79-202 and may remain open for business on the dates and at the times indicated.
2. That all other provisions of Regional By-law No. R79-202 are to remain in full force and effect for the shops described in Schedule "A" of this By-law.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED this 20th day of June, 1989.

Chairman

Clerk

(2)

SCHEDULE "A"

TO BY-LAW NO. R89- 083

Shops referred to in By-law No. R89- and located at the respective locations.

That the following retail shop(s) in the Area Municipality of Dundas be exempted from Regional By-law No. R79-202 for the purpose of holding a special sale on the date(s) and at the time(s) indicated:

1. **DUNDAS** Friday, July 14, 1989
9:00 p.m. to 11:59 p.m.

Willy Wonderful Ltd.

86-90 Main St. W.
Dundas, Ontario

THE REGIONAL MUNICIPALITY OF
HAMILTON-WENTWORTH

By-law R89- 084

WHEREAS Council at its Special Meeting of June 15, 1989, concurred in the recommendation to not continue with an offer to lease with Region Plaza Incorporated dated December 12, 1988; and

FURTHER WHEREAS Council referred to staff the direction to provide information and documents necessary to proceed with an expansion or free standing structure on Hamilton City Hall Plaza;

NOW THEREFORE be it resolved that:

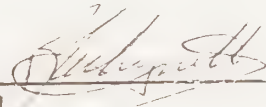
By-law R88-123 be repealed.

READ A FIRST, SECOND AND THIRD TIME THIS

20th day of June, 1989.

Approved
as to form

Regional
Solicitor


Chairman


Clerk

The Regional Municipality of Hamilton-Wentworth

Bill No. 1495

By-law No. R89-085

Being a By-law to authorize:

- 1) The undertaking of improvements in the form of unspecified development projects including oversizing in accordance with Schedule "A" hereto annexed at an estimated cost of \$15,266,000; and
- 2) The financing of the undertaking by the issuance of debentures over a term not to exceed 20 years by the Regional Municipality of Hamilton-Wentworth; and

WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth, did adopt Item 27 of the 5th Report of the Engineering Services Committee on April 4, 1989, which authorized construction of the works described in Schedule "A" hereto;

AND WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth did adopt Item 4 of the 6th Report of the Finance and Personnel Committee on April 4, 1989 which authorized the financing by the Region of the works described in Schedule "A" hereto by the issuance of debentures;

AND WHEREAS pursuant to Section 30 of the Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, c.437, as amended, the Regional Corporation shall maintain and keep in repair the roads included in the regional road system;

AND WHEREAS pursuant to Section 96(1) of the said Regional Municipality of Hamilton-Wentworth Act, the Regional Corporation shall have the sole responsibility for the supply and distribution of water in the Regional Area, including the establishment, construction, maintenance, operation, improvement and the extension of waterworks systems and the financing thereof;

AND WHEREAS pursuant to Section 97(1) of the said Regional Municipality of Hamilton-Wentworth Act, the Regional Corporation shall have the sole responsibility for the collection and disposal of sewage in the Regional Area, including the establishment, construction, maintenance, operation and financing thereof;

AND WHEREAS pursuant to Section 97(13) of the said Regional Municipality of Hamilton-Wentworth Act, the Regional Corporation may undertake responsibility for storm sewers within any Area Municipality;

AND WHEREAS the Regional Municipality of Hamilton-Wentworth, by the enactment of By-law No. 9-73, assumed responsibility for all storm sewers within the City of Hamilton;

AND WHEREAS pursuant to Section 110(1) of the said Regional Municipality of Hamilton-Wentworth Act, the Regional Corporation may borrow money for the purposes of the Regional Corporation and issue debentures therefor on the credit of the Regional Corporation;

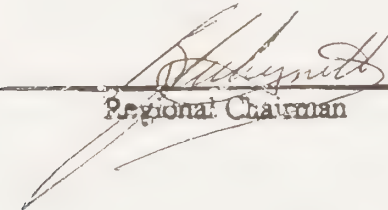
AND WHEREAS on the 19th day of April, 1989, the Ontario Municipal Board did grant the application of the Regional Corporation to construct the works described in Schedule "A" hereto and to issue debentures for a sum not exceeding the lesser of \$15,266,000.00 or the net cost of such undertakings for a term not exceeding twenty (20) years.

NOW THEREFORE, the Council of the Regional Municipality of Hamilton-Wentworth enacts as follows:

1. The undertaking of the improvements more particularly described in Schedule "A" hereto, is hereby approved at a total estimated cost of \$15,266,000.
2. That the cost of the works on Schedule "A" be financed by the issuance of debentures for a term not to exceed twenty (20) years.
3. The Commissioner of Engineering is hereby authorized to:
 - a) prepare all necessary plans, specifications, and reports required for the undertaking of the works; and,
 - b) supervise the undertaking of the works.
4. The Regional Chairman, Regional Clerk, and Commissioner of Finance are hereby authorized to execute, on behalf of the Regional Municipality of Hamilton-Wentworth, all contracts necessary for the undertaking of the works.
5. Schedule "A" hereto is part of this By-law.

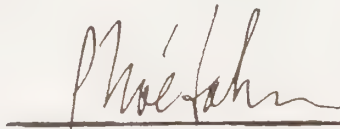
READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED

This 20th Day of June, A.D. 1989


Regional Chairman

Approved
as to form

Regional
Solicitor


Regional Clerk

SCHEDULE "A"
 REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
 UNSPECIFIED DEVELOPMENT PROJECTS
 (INCLUDING OVERSIZING)

Description	Estimated Cost	Amount to be Debentured
Roadways	10,660,000	10,660,000
Waterworks	2,880,000	2,880,000
Sanitary Sewers	268,000	268,000
Storm Sewers	1,458,000	1,458,000
	13,266,000	15,266,000

THE REGIONAL MUNICIPALITY OF
HAMILTON-WENTWORTH

BILL NO. 1496

By-Law No. R89-086

Being a By-law to authorize:

- 1) The undertaking of improvements in the form of a new traffic operations centre in accordance with Schedule "A" hereto annexed at an estimated cost of \$4,440,000;
- 2) The financing of the undertaking by the issuance of debentures over a term not to exceed 10 years by the Regional Municipality of Hamilton-Wentworth;
- 3) The preparation of plans, specifications and reports and the supervision of the undertaking by the Commissioner of Engineering.

WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth, did adopt item (21) of the 2nd Report of the Engineering Services Committee on February 2, 1988, which authorized the financing by the Region of the works described on Schedule "A" hereto;

AND WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth did adopt Item 2 of the Report of the Committee of the Whole on March 1, 1988, which authorized the financing by the Region of the works described on Schedule "A" hereto by the issuance of debentures;

AND WHEREAS pursuant to Section 33(1) of the Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, Chapter 437, as amended, the Regional Corporation may construct, install, maintain or remove any works on a highway, other than a road under the jurisdiction and control of the Ministry, including traffic control devices, for the purpose of altering or regulating the flow of traffic upon entering or leaving a road in the regional road system;

AND WHEREAS pursuant to Section 110(1) of the said Regional Municipality of Hamilton-Wentworth Act, the Regional Corporation may borrow money for the purposes of the Regional Corporation and issue debentures therefor on the credit of the Regional Corporation;

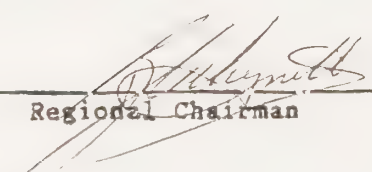
AND WHEREAS on the 29th day of November, 1988, the Ontario Municipal Board did grant the application of the Regional Corporation for borrowing its share of the cost of the undertaking by The Corporation of the City of Hamilton to construct the works described in Schedule "A" hereto and to issue debentures for a sum not exceeding the lesser of \$4,440,000.00 or its share of the net cost of such undertakings for a term not exceeding ten (10) years.

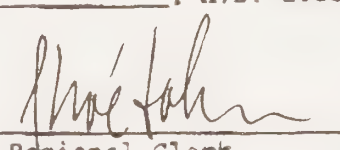
NOW THEREFORE, the Council of the Regional Municipality of Hamilton-Wentworth enacts as follows:

1. The undertaking of the improvements more particularly described in Schedule "A" hereto, is hereby approved at a total estimated cost of \$4,440,000.
2. That the cost of the works on Schedule "A" be financed by the issuance of debentures for a term not to exceed ten (10) years.
3. The Commissioner of Engineering is hereby authorized to:
 - (a) prepare all necessary plans, specifications and reports required for the undertaking of the works; and,
 - (b) supervise the undertaking of the works.
4. The Regional Chairman, Regional Clerk and Commissioner of Finance are hereby authorized to execute, on behalf of the Regional Municipality of Hamilton-Wentworth, all contracts necessary for the undertaking of the works.
5. Schedule "A" hereto is part of this By-Law.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED

THIS 20th DAY OF June, A.D. 1989


Regional Chairman


Regional Clerk

Approved
as to form

Regional
Solicitor

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
SCHEDULE "A" TO BY-LAW NO. R89-086

1 PROJECT	2 TERM IN YEARS	3 AUTHORIZING BY-LAW NO.	4 ONTARIO MUNICIPAL BOARD		5 DATE	6 AMOUNT OF DEBENTURES AUTHORIZED	7 DEBENTURES ISSUED TO DATE TO DATE	8 OUTSTANDING AUTHORIZATION
			NUMBER					
	20	R87-032				4,440,000	0	4,440,000
NEW TRAFFIC OPERATIONS CENTRE								

The Regional Municipality of Hamilton-Wentworth

Bill No. 1497

By-law No. R89-087

Being a By-law to authorize:

- 1) The undertaking of improvements in the form of storm sewer rehabilitation on Regional roads in accordance with Schedule "A" hereto annexed at an estimated cost of \$14,813,000; and
- 2) The financing of the undertaking by the issuance of debentures in the amount of \$12,134,000 over a term not to exceed 20 years by the Regional Municipality of Hamilton-Wentworth;

WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth, did adopt Item 27 of the 5th Report of the Finance and Personnel Committee on April 4, 1989, which authorized construction of the works described on Schedule "A" hereto;

AND WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth did adopt Item 4 of the 6th Report of the Finance and Personnel Committee on April 4, 1989 which authorized the financing by the Region of the works described in Schedule "A" hereto by the issuance of debentures;

AND WHEREAS pursuant to Section 97(13) of the Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, c.437, as amended, the Regional Corporation may undertake responsibility for storm sewers within any Area Municipality;

AND WHEREAS the Regional Municipality of Hamilton-Wentworth, by the enactment of By-law No. 9-73, assumed responsibility for all storm sewers within the City of Hamilton;

AND WHEREAS pursuant to Section 110(1) of the said Regional Municipality of Hamilton-Wentworth Act, the Regional Corporation may borrow money for the purposes of the Regional Corporation and issue debentures therefor on the credit of the Regional Corporation;

AND WHEREAS on the 19th day of April, 1989, the Ontario Municipal Board did grant the application of the Regional Corporation to construct the works described in Schedule "A" hereto and to issue debentures for a sum not exceeding the lesser of \$12,134,000.00 or the net cost of such undertakings for a term not exceeding twenty (20) years.

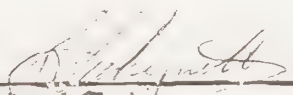
NOW THEREFORE, the Council of the Regional Municipality of Hamilton-Wentworth enacts as follows:

1. The undertaking of the improvements more particularly described in Schedule "A" hereto, is hereby approved at a total estimated cost of \$14,813,000.
2. That the cost of the works on Schedule "A" in the amount of \$12,134,000 be financed by the issuance of debentures for a term not to exceed twenty (20) years.

3. The Commissioner of Engineering is hereby authorized to:
 - a) prepare all necessary plans, specifications, and reports required for the undertaking of the works; and,
 - b) supervise the undertaking of the works.
4. The Regional Chairman, Regional Clerk, and Commissioner of Finance are hereby authorized to execute, on behalf of the Regional Municipality of Hamilton-Wentworth, all contracts necessary for the undertaking of the works.
5. Schedule "A" hereto is part of this By-law.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED AND ENACTED

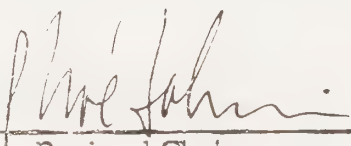
This 20th Day of June, A.D. 1989



Regional Chairman

Approved
as to form

Regional
Solicitor



Regional Clerk

Certified true copy

Regional Clerk

SCHEME "A"
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
STORM SEWER REHABILITATION PROGRAM
CITY OF HAMILTON

Description of Work	Estimated Cost	Amount to be Debentured
Abordeen Ave. - Ravenscliffe to Queen St.	265,000	186,000
East Bend - King St. to Main St.	167,000	100,000
Dromore Cr. - Sterling to 90m Southerly	78,000	47,000
Madison Ave. - 390m south of Sterling to 120m north of Sterling	409,000	267,000
Whitham - Locke - Mulbourne St. area	531,000	359,000
South Bend Rd. - Storm Trunk at West 5th to Terraco	649,000	442,000
King St. - London St. area	654,000	295,000
Tuxedo Ave. - Dunsuir Rd. area	222,000	134,000
Lower Hornby Rd. - Offield Rd. & outlet to Ancaster Creek	1,059,000	933,000
Main St. - Kensington Ave to Balmoral Ave	135,000	87,000
Cedar St. - Hoplewood Ave	87,000	53,000
John St. - Forest St. to St. Joseph's Dr.	294,000	294,000
Catherine St. - Cannon to Robert St.	270,000	203,000
East 37th St. - Hoback to Fennell	142,000	747,000
Albert St. & outlet on Main to Prospect	225,000	225,000
East 21st. St. between Crockett & Queensdale	225,000	135,000
East 22nd St. between Crockett & Queensdale	225,000	135,000
East 23rd St. between Crockett & Queensdale	242,000	242,000
East 24th St. between Crockett & Queensdale	225,000	225,000
East 25th St. between Queensdale & Fennell	160,000	253,000
East 25th St. between Queensdale & Brucevale	185,000	111,000
East 24th St. between Queensdale & Brucevale	185,000	111,000
East 25th St. between Crockett & Queensdale	174,000	107,000
Glendale Ave - Motrin to Roxborough Ave	84,000	50,000
Rosslyn - Montclair to Balmoral	674,000	674,000
Milda Ave - King to Main	146,000	90,000
Lorne Ave. - Afton to Maple	135,000	89,000
Market - Caroline to Bay	117,000	67,000

Description of Work	Estimated Cost	Amount to be Debentured
Viceroy - Cellula, East 13 and East 15	200,000	451,000
Dalena Ave. - Elm Street Area	77,000	70,000
MacLennan Ave - East 23rd	367,000	334,000
Jones St. Storm Sewer ext. from James Mtn. Rd.	710,000	710,000
Queensdale - East 21st to Upper Sherman	1,166,000	1,166,000
Clinton Street - Barnesdale Ave.	318,000	289,000
Upper Wellington - Mountville to Inverness	219,000	218,000
Roxborough Ave. - Traginn to Strathearn	399,000	363,000
Main - Paradise, Dow Ave and Longwood	710,000	362,000
King Street - East Ave. to West Ave.	106,000	106,000
Winston Ave. - Strand Rd/Dalewood Ave. Area	311,000	371,000
Springer Ave. Maplewood to Main	85,000	78,000
Gordon St - Lincoln to Cavell	171,000	115,000
Edinburgh - Park Row/Britannia Ave. Area	117,000	106,000
Belmont Ave. - Danmore to Roxborough	117,000	106,000
Cage Avenue Storm Trunk Sewer Outlet Improvements	106,000	106,000
Russell Ave. - Roxborough to 105m southerly	67,000	67,000
Oak Ave. - Harlow to 120m northerly	95,000	57,000
Linden St. - Cavell to Lincoln	117,000	106,000
Stevens St. - Cannon to King William	260,000	237,000
	14,873,000	12,134,000

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-088

To confirm the proceedings of the Council at its meeting held on June 20th, 1989

THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
ENACTS AS FOLLOWS:

1. The Action of the Council at its meeting held on the 20th day of June, 1989, in respect of each recommendation contained in the Reports of its Committees:

<u>NAME</u>	<u>NO.</u>
Special Airport Committee Report	7-89
Economic Development and Planning Committee Report	11-89
Finance & Personnel Report	9-89
Health & Social Services Report	11-89 as amended
Transportation Services Report	6-89

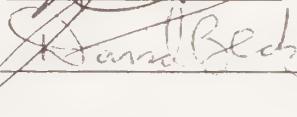
and Regional Officials

<u>NAME</u>	<u>NO.</u>
Chairman's Report	11-89

considered by Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the Council at its said meetings, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Chairman of the Council and the proper officials of the Regional Municipality are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and, except where otherwise provided, the Chairman, the Clerk and the Treasurer are hereby directed to execute all documents necessary in that behalf, and the Clerk is hereby authorized and directed to affix the Corporate Seal of the Regional Corporation to all such documents.

READ A FIRST, SECOND AND THIRD TIME and Finally Passed and Enacted this 20th, day of June, 1989.

 Chairman
 Acting Clerk Pro Tempore

#0333B/7-14

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-089

TO PROVIDE FOR

1. THE CONSTRUCTION OF STORM AND SANITARY SEWERS AND RELATED PRIVATE DRAIN CONNECTIONS AS DESCRIBED IN SCHEDULE "A" HERETO ON ALDERSON DRIVE FROM 243 METRES WEST OF CHRISTIE STREET TO UPPER JAMES STREET, IN THE CITY OF HAMILTON
2. THE IMPOSITION OF A SPECIALLY ASSESSED RATE ON ABUTTING OWNERS TO PAY A PORTION OF THE COST OF CONSTRUCTING THE STORM AND SANITARY SEWERS
3. THE IMPOSITION OF A SPECIALLY ASSESSED RATE ON PARTICULAR LOTS TO BE SERVED BY THE SAID PRIVATE DRAIN CONNECTIONS.

WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth (here and after called the "Region") in adopting on the 7th day of March, 1989, Clause 16 of the 89-109 Report of the Engineering Services Committee authorized the construction of storm and sanitary sewers on Alderson Drive from 243 metres west of Christie Street to Upper James Street, in the City of Hamilton as a local improvement under Sections 11 and 3 respectively of the Local Improvement Act, R.S.O. 1980, c.250, as amended.

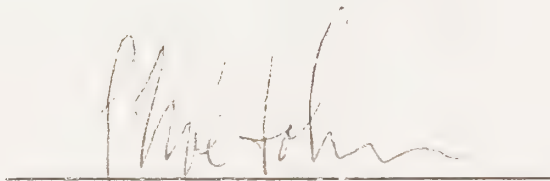
NOW THEREFORE, THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. THAT the construction of the said storm and sanitary sewers on Alderson Drive from 243 metres west of Christie Street to Upper James Street, in the City of Hamilton at an estimated cost of \$445,000.00 and the said private drain connections at an estimated cost of \$62,700.00 is hereby authorized, as set out on Schedule "A" hereto.
- 2.(a) THAT the share of the estimated cost of the described storm and sanitary sewer to be borne by the owners of the lots liable to be specially assessed is \$227,227.00 and the amount to be specially assessed against such owners is hereby authorized at the actual equal special rate per metre of such frontage sufficient to defray the actual cost and payable by such owners in 15 annual consecutive installments.

- (b) THAT the share of the estimated cost of the described private drain connections be specially assessed upon the particular lots to be served.
- 3.(a) THAT the cost of the works described in Section 1 hereof are to be financed from special assessments, subsidies, monies received from any other source, and by the issue and sale of debentures of The Region in the amount of \$227,227.00 which are to be authorized by a subsequent by-law or by-laws and which are to be repayable over a term of not more than 15 years.
- (b) THAT pending the sale of debentures referred to in sub-section (a) of this Section and the receipt of special assessments, subsidies, or monies from any other source, the Chairman and the Treasurer of The Region may borrow money not exceeding \$507,700.00 for the purpose described in Section 1 hereof.
- (c) THAT the sum or sums of money borrowed pursuant to sub-section (b) of this section are to be repaid out of the special assessments, subsidies received, monies received from any other source and the proceeds of the sale of debentures of The Region.
4. THAT notwithstanding the provisions of this by-law the amount to be debentured pursuant to the provision hereof is not to exceed the net cost to The Region after deducting any special assessments, subsidies or contributions from the Province of Ontario or from any other source in respect of the undertaking described in Section 1 hereof.
5. THAT the proper officials of The Region are hereby authorized and directed to do all things necessary to carry-out the terms of this by-law except that no contract for the construction of the described works is to be entered into without the approval of the Council of the Regional Municipality of Hamilton-Wentworth.
6. THAT schedule "A" forms part of this by-law.

Read a First, Second and Third Time and Finally Passed and Enacted
this 18th day of July, 1989.


ACTING CHAIRMAN


CLERK

Approved
as to form

Regional
Solicitor

SCHEDULE "A"

TO BY-LAW NO. R89-089

<u>DESCRIPTION</u>	<u>COST PER CONNECTION</u>	<u>TOTAL COST</u>	<u>REGION'S SHARE OF COST</u>	<u>OWNER'S SHARE OF COST</u>
Storm and sanitary sewers on Alderson Drive from 243 metres west of Christie Street to Upper James Street, in the City of Hamilton		\$445,000.00	\$ 217,773.00 (includes \$70,255.00 Provincial subsidy)	\$ 227,227.00
and				
Related Private Drain Connections	\$ 1,900.00	\$ 62,700.00		\$ 62,700.00

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO R89-090

BEING A BY-LAW TO AUTHORIZE THE IMPOSITION
OF A SPECIALLY ASSESSED RATE UPON THE OWNERS
OF LANDS ABUTTING THE STORM AND SANITARY SEWERS
AS DESCRIBED IN SCHEDULE "A" HERETO AND A
SPECIALLY ASSESSED RATE ON PARTICULAR LOTS
TO BE SERVED BY PRIVATE DRAIN CONNECTIONS
AS DESCRIBED IN SCHEDULE "B" HERETO ON
ALDERSON DRIVE FROM 243 METRES WEST OF
CHRISTIE STREET TO UPPER JAMES STREET,
IN THE CITY OF HAMILTON

WHEREAS The Regional Municipality of Hamilton-Wentworth (here and after called the "Region") intends to install storm and sanitary sewers on Alderson Drive from 243 metres west of Christie Street to Upper James Street, in the City of Hamilton as a local improvement at an estimated cost of \$445,000.00 and related private drain connections as described in Schedule "B" to the By-law . as a local improvement at an estimated cost of \$62,700.00; and,

WHEREAS the Region, pursuant to The Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, Chapter 437, Section 97(1) as amended, has sole responsibility for the financing of extensions to its sewer works systems and all the provisions of any general Act relating to the collection and disposal of sewage and the financing thereof apply with necessary modifications to the Regional Corporation; and

WHEREAS the Local Improvement Act, Sections 24 and 3 authorize a municipality to impose by by-law a specially assessed frontage rate upon owners or occupants of land who derive a benefit from the said storm and sanitary sewers and a specially assessed rate upon particular lots served by the private drain connections.

NOW THEREFORE, THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

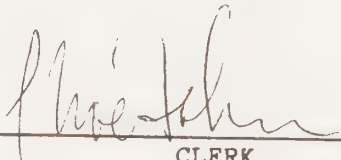
- 1.(a) THAT a specially assessed frontage rate be imposed on the owners of the lands described in Schedule "A" to this By-law, abutting the said storm and sanitary sewer to be calculated on the frontage therein described being rateable for an estimated total of \$227,227.00 which shall be the portion of the total cost of the sewer works to be borne by the abutting land owners;
- (b) THAT the cost of the private drain connections be specially assessed only upon the particular lot to be served as outlined in Schedule "B" to this By-law, and in the amounts therein set out.

- 2.(a) THAT a reduction in the case of corner lots at the junction or intersection of streets and a reduction or increase in the case of triangular or irregularly shaped lots has been made in the specially assessed rate as per Schedule "A" to this By-law;
- (b) THAT where an exemption for flankage of a lot which flankage later becomes frontage on the storm and sanitary sewers, the Region may impose a specially assessed rate of such amount as would have been assessed against such flankage had it been frontage at the date of passing of this By-law.
3. THAT the owners of the lands described on Schedule "A" to this By-law may pay the total estimated rates described therein in a lump sum cash payment or in equal and consecutive annual installments over a period of fifteen (15) years together with interest fixed at the borrowing rate for this Region at the time of the calculation of the total cost of the project and the imposition of the annual installment such as shown on Schedule "A" hereto.
4. THAT Schedule "A" and Schedule "B" form part of this By-law.

Read a First, Second and Third Time and Finally Passed
and Enacted this 18th day of July, 1989.



ACTING CHAIRMAN



CLERK

Approved
as to form

Regional
Solicitor

SCHEDULE "A" TO BY-LAW NO. R89-090

DESCRIPTION: Storm and sanitary sewers

ESTIMATED COST: \$ 445,000.00

ESTIMATED COST PER METRE FRONTAGE TO OWNER: \$ 220.00

LOCATION: ALDERSON DRIVE FROM 243 METRES WEST OF CHRISTIE
STREET TO UPPER JAMES STREET, IN THE CITY OF HAMILTON

The specially assessed rate imposed on benefiting property owners may be paid in one lump sum amount (Column 6) or be financed and paid in (15) fifteen annual consecutive installments commencing in the year in which the project is closed and rated. The amount financed over fifteen years will be at an interest rate to be determined by the Region.

1	2	3	4	5	6	7
ASSESSMENT ROLL NUMBER	DESCRIPTION OF LANDS	FRONTAGE OF ABUTTING LAND	EXEMPT FRONTAGE	FRONTAGE SUBJECT TO RATE	ESTIMATED LUMP SUM CASH PAYMENT	ASSESSED OWNER
08 11010 4460	RP 878 Pt Lt 76	67.55m	67.55	0.00m	\$ 0.00	Roman Cath. Epis. Corp.
08 11010 3030	RP 970 Pt Lt 113	28.96m	--	28.96m	\$ 6,371.20	E. Kavanaugh
08 11010 3000	RP 970 Pt Lt 112	28.65m	--	28.65m	\$ 6,303.00	L. & W. Wieprich
08 11010 2970	RP 970 Pt Lt 111	28.04m	--	28.04m	\$ 6,168.80	J. & G. Lorincz
08 11010 2940	RP 970 Pt Lt 110	28.04m	--	28.04m	\$ 6,168.80	R. & M. Parker
08 11010 2910	RP 970 Pt Lt 109	27.74m	--	27.74m	\$ 6,102.80	A. Adolph
08 11010 2880	RP 970 Pt Lt 108	27.74m	--	27.74m	\$ 6,102.80	M. Shrubbs
08 11010 2850	RP 970 Pt Lt 107	27.43m	--	27.43m	\$ 6,034.60	D. Grayling
08 11010 2820	RP 970 Pt Lt 106	27.43m	--	27.43m	\$ 6,034.60	J. & A. Byrne
08 11010 2790	RP 970 Pt Lt 105	27.43m	--	27.43m	\$ 6,034.60	V. & I. Ciardullo
08 11010 0830	RP 970 Pt Lt 104	28.96m	--	28.96m	\$ 6,371.20	L. & J. Ciardullo
08 11010 2760	RP 970 Pt Lt 103	28.96m	--	28.96m	\$ 6,371.20	M. Braunschweig
08 11010 2730	RP 970 Pt Lt 102	28.96m	--	28.96m	\$ 6,371.20	E. & N. Campbell

1	2	3	4	5	6	7
ASSESSMENT ROLL NUMBER	DESCRIPTION OF LANDS	FRONTAGE OF ABUTTING LAND	EXEMPT FRONTAGE	FRONTAGE SUBJECT TO RATE	ESTIMATED LUMP SUM CASH PAYMENT	ASSESSED OWNER
08 11010 2700	RP 970 Pt Lt 101	28.96m	--	28.96m	\$ 6,371.20	J. & V. Barrett
08 11010 2670	RP 970 Pt Lt 100	28.96m	--	28.96m	\$ 6,371.20	K. & A. Miller
08 11010 2640	RP 970 Pt Lt 99	28.96m	--	28.96m	\$ 6,371.20	A. & J. Mossi
08 11010 2610	RP 970 Pt Lt 98	28.96m	--	28.96m	\$ 6,371.20	P. & W. Murray
08 11010 2580	RP 970 Pt Lt 97	29.41m	--	29.41m	\$ 6,470.20	J. & W. Fennema
08 11010 3060	RP 970 Pt Lt 117-119	167.56m	--	167.56m	\$36,863.20	Roman Cath. Epis. Corp.
08 11010 3090	RP 970 Pt Lt 120	30.18m	--	30.18m	\$ 6,639.60	J. & S. Buttaro
08 11010 3120	RP 970 Pt Lt 121	30.18m	--	30.18m	\$ 6,639.60	J. & K. Allan
08 11010 3150	RP 970 Pt Lt 122	30.18m	--	30.18m	\$ 6,639.60	F. & B. Recsei
08 11010 3180	RP 970 Pt Lt 123/124	30.18m	--	30.18m	\$ 6,639.60	E. Cox
08 11010 1000	RP 970 Pt Lt 124	28.96m	--	28.96m	\$ 6,371.20	A. & V. Kumar
08 11010 0860	RP 970 Pt Lt 125	28.96m	--	28.96m	\$ 6,371.20	E. & E. Saamanen
08 11010 3240	RP 970 Pt Lt 126	28.96m	--	28.96m	\$ 6,371.20	A. & C. DePasquale
08 11010 3270	RP 970 Pt Lt 127	28.96m	--	28.96m	\$ 6,371.20	I. Chalklin
08 11010 3300	RP 970 Pt Lt 128	28.96m	--	28.96m	\$ 6,371.20	R. & V. Payne
08 11010 3330	RP 970 Pt Lt 129	28.96m	--	28.96m	\$ 6,371.20	G. & T. Elliot
08 11010 3360	RP 970 Pt Lt 130	28.96m	--	28.96m	\$ 6,371.20	H. & T. Bootsna
08 11010 3390	RP 970 Pt Lt 131	28.96m	--	28.96m	\$ 6,371.20	A. & A. Kloet
08 11010 3420	RP 970 Pt Lt 132	29.31m	--	29.31m	\$ 6,448.20	E. & S. Galvin

SCHEDULE "B" TO BY-LAW NO. R89-090

NOTE: CONNECTION COST ONLY ON EACH LOT TO BE SERVED BY THE CONNECTION.

DESCRIPTION: STORM AND SANITARY SEWERS

LOCATION: ALDERSON DRIVE FROM 243 METRES WEST OF CHRISTIE STREET TO
UPPER JAMES STREET, IN THE CITY OF HAMILTON

NUMBER OF CONNECTIONS: 33

COST PER CONNECTION: \$ 1,900.00

#0333B/15-21

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-091

TO PROVIDE FOR

1. THE CONSTRUCTION OF A WATERMAIN AND RELATED WATER SERVICE CONNECTIONS AS DESCRIBED IN SCHEDULE "A" HERETO ON HIGHLAND ROAD FROM APPROXIMATELY 40 METRES EAST OF AUBREY STREET TO HIGHWAY #20, IN THE CITY OF STONEY CREEK
2. THE IMPOSITION OF A SPECIALLY ASSESSED RATE ON ABUTTING OWNERS TO PAY A PORTION OF THE COST OF CONSTRUCTING THE WATERMAIN
3. THE IMPOSITION OF A SPECIALLY ASSESSED RATE ON PARTICULAR LOTS TO BE SERVED BY THE SAID WATER SERVICE CONNECTIONS.

WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth (here and after called the "Region") in adopting on the 7th day of March, 1989, Clause 16 of the 89-109 Report of the Engineering Services Committee authorized the construction of a watermain on Highland Road from approximately 40 metres east of Aubrey Street to Highway #20, in the City of Stoney Creek as a local improvement under Sections 11 and 3 respectively of the Local Improvement Act, R.S.O. 1980, c.250, as amended.

NOW THEREFORE, THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

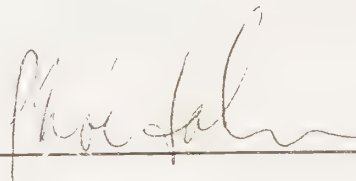
1. THAT the construction of the said watermain on Highland Road from approximately 40 metres east of Aubrey Street to Highway #20, in the City of Stoney Creek at an estimated cost of \$96,454.00 and the said water service connections at an estimated cost of \$4,914.00 is hereby authorized, as set out on Schedule "A" hereto.
- 2.(a) THAT the share of the estimated cost of the described watermain to be borne by the owners of the lots liable to be specially assessed is \$25,372.00 and the amount to be specially assessed against such owners is hereby authorized at the actual equal special rate per metre of such frontage sufficient to defray the actual cost and payable by such owners in 15 annual consecutive installments.

- (b) THAT the share of the estimated cost of the described water service connections be specially assessed upon the particular lots to be served.
- 3.(a) THAT the cost of the works described in Section 1 hereof are to be financed from special assessments, subsidies, monies received from any other source, and by the issue and sale of debentures of The Region in the amount of \$25,372.00 which are to be authorized by a subsequent by-law or by-laws and which are to be repayable over a term of not more than 15 years.
- (b) THAT pending the sale of debentures referred to in sub-section (a) of this Section and the receipt of special assessments, subsidies, or monies from any other source, the Chairman and the Treasurer of The Region may borrow money not exceeding \$101,368.00 for the purpose described in Section 1 hereof.
- (c) THAT the sum or sums of money borrowed pursuant to sub-section (b) of this section are to be repaid out of the special assessments, subsidies received, monies received from any other source and the proceeds of the sale of debentures of The Region.
4. THAT notwithstanding the provisions of this by-law the amount to be debentured pursuant to the provision hereof is not to exceed the net cost to The Region after deducting any special assessments, subsidies or contributions from the Province of Ontario or from any other source in respect of the undertaking described in Section 1 hereof.
5. THAT the proper officials of The Region are hereby authorized and directed to do all things necessary to carry-out the terms of this by-law except that no contract for the construction of the described works is to be entered into without the approval of the Council of the Regional Municipality of Hamilton-Wentworth.
6. THAT schedule "A" forms part of this by-law.

Read a First, Second and Third Time and Finally Passed and Enacted
this 18th day of July, 1989.



Acting CHAIRMAN



CLERK

Approved
as to form

Regional
Solicitor

SCHEDULE "A"

TO BY-LAW NO. R89-091

<u>DESCRIPTION</u>	<u>COST PER CONNECTION</u>	<u>TOTAL COST</u>	<u>REGION'S SHARE OF COST</u>	<u>OWNER'S SHARE OF COST</u>
Watermain on Highland Road from approximately 40 metres east of Aubrey Street to Highway #20, in the City of Stoney Creek		\$ 96,454.00	\$ 71,082.00	\$ 25,372.00
and				
Related Water Service Connections	\$ 245.70	\$ 4,914.00		\$ 4,914.00

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO R89-092

BEING A BY-LAW TO AUTHORIZE THE IMPOSITION OF A SPECIALLY ASSESSED RATE UPON THE OWNERS OF LANDS ABUTTING THE WATERMAIN AS DESCRIBED IN SCHEDULE "A" HERETO AND A SPECIALLY ASSESSED RATE ON PARTICULAR LOTS TO BE SERVED BY WATER SERVICE CONNECTIONS AS DESCRIBED IN SCHEDULE "B" HERETO ON HIGHLAND ROAD FROM APPROXIMATELY 40 METRES EAST OF AUBREY STREET TO HIGHWAY #20, IN THE CITY OF STONEY CREEK

WHEREAS The Regional Municipality of Hamilton-Wentworth (here and after called the "Region") intends to install a watermain on Highland Road from approximately 40 metres east of Aubrey Street to Highway #20, in the City of Stoney Creek as a local improvement at an estimated cost of \$96,454.00 and related water service connections as described in Schedule "B" to the By-law as a local improvement at an estimated cost of \$4,914.00; and,

WHEREAS the Region, pursuant to The Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, Chapter 437, Section 96(1) as amended, has sole responsibility for the financing of extensions to its water works systems and all the provisions of any general Act relating to the supply and distribution of water and the financing thereof apply with necessary modifications to the Regional Corporation; and

WHEREAS the Local Improvement Act, Sections 24 and 3 authorize a municipality to impose by by-law a specially assessed frontage rate upon owners or occupants of land who derive a benefit from the said watermain and a specially assessed rate upon particular lots served by the water service connections.

NOW THEREFORE, THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

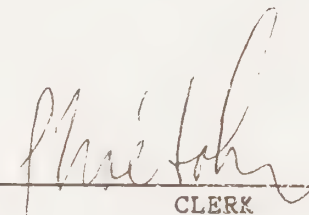
- 1.(a) THAT a specially assessed frontage rate be imposed on the owners of the lands described in Schedule "A" to this By-law, abutting the said watermain to be calculated on the frontage therein described being rateable for an estimated total of \$25,372.00 which shall be the portion of the total cost of the water works to be borne by the abutting land owners;
- (b) THAT the cost of the water service connections be specially assessed only upon the particular lot to be served as outlined in Schedule "B" to this By-law, and in the amounts therein set out.

- 2.(a) THAT a reduction in the case of corner lots at the junction or intersection of streets and a reduction or increase in the case of triangular or irregularly shaped lots has been made in the specially assessed rate as per Schedule "A" to this By-law;
- (b) THAT where an exemption for flankage of a lot which flankage later becomes frontage on the watermain, the Region may impose a specially assessed rate of such amount as would have been assessed against such flankage had it been frontage at the date of passing of this By-law.
3. THAT the owners of the lands described on Schedule "A" to this By-law may pay the total estimated rates described therein in a lump sum cash payment or in equal and consecutive annual installments over a period of fifteen (15) years together with interest fixed at the borrowing rate for this Region at the time of the calculation of the total cost of the project and the imposition of the annual installment such as shown on Schedule "A" hereto.
4. THAT Schedule "A" and Schedule "B" form part of this By-law.

Read a First, Second and Third Time and Finally Passed
and Enacted this 18th day of July, 1989.



Acting CHAIRMAN



CLERK

Approved
as to form

Regional
Solicitor

SCHEDULE "A" TO BY-LAW NO. R89-092

DESCRIPTION: Watermain

ESTIMATED COST: \$ 96,454.00

ESTIMATED COST PER METRE FRONTAGE TO OWNER: \$ 80.00

LOCATION: HIGHLAND ROAD FROM APPROXIMATELY 40 METRES
EAST OF AUBREY STREET TO HIGHWAY #20, IN
THE CITY OF STONEY CREEK

The specially assessed rate imposed on benefiting property owners may be paid in one lump sum amount (Column 6) or be financed and paid in (15) fifteen annual consecutive installments commencing in the year in which the project is closed and rated. The amount financed over fifteen years will be at an interest rate to be determined by the Region.

1	2	3	4	5	6	7
ASSESSMENT ROLL NUMBER	DESCRIPTION OF LANDS	FRONTAGE OF ABUTTING LAND	EXEMPT FRONTAGE	FRONTAGE SUBJECT TO RATE	ESTIMATED LUMP SUM CASH PAYMENT	ASSESSED OWNER
100 850 09000	RP 955 Lt 33	30.48m	--	30.48m	\$ 2,438.40	M. Momcilovich
100 850 23200	Con 8 Pt Lt 25	414.25m	354.25m	60.00m	\$ 4,800.00	Bokrica Inc.
100 650 31000	Con 7 Pt Lt 26	160.84m	160.84m	--	\$ 0.00	Ontario Land Corp.
100 650 30800	Con 7 Pt Lt 25	205.63m	145.63m	60.00m	\$ 4,800.00	" " "
100 650 45200	Con 7 Pt Lt 25	15.24m	--	15.24m	\$ 1,219.20	K.B.T. Holdings Inc.
100 650 30400	Con 7 Pt Lt 25	68.58m	--	68.58m	\$ 5,486.40	C. & J. Carci
100 650 30200	Con 7 Pt Lt 25	22.86m	--	22.86m	\$ 1,828.80	J. Ross
100 650 30000	Con 7 Pt Lt 25	87.52m	27.52m	60.00m	\$ 4,800.00	D. Rossfreight Inc.

SCHEDULE "B" TO BY-LAW NO. R89-092

NOTE: CONNECTION COST ONLY ON EACH LOT TO BE SERVED BY THE CONNECTION.

DESCRIPTION: WATERMAIN

LOCATION: HIGHLAND ROAD FROM APPROXIMATELY 40 METRES EAST OF AUBREY
STREET TO HIGHWAY #20, IN THE CITY OF STONEY CREEK

NUMBER OF CONNECTIONS: 20

COST PER CONNECTION: \$ 245.70

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-093

TO PROVIDE FOR

1. THE CONSTRUCTION OF A SANITARY SEWER AND RELATED PRIVATE DRAIN CONNECTIONS AS DESCRIBED IN SCHEDULE "A" HERETO ON PARKSIDE DRIVE FROM DUNCAN AVENUE TO APPROXIMATELY 237 METRES EASTERLY, IN THE TOWN OF FLAMBOROUGH
2. THE IMPOSITION OF A SPECIALLY ASSESSED RATE ON ABUTTING OWNERS TO PAY A PORTION OF THE COST OF CONSTRUCTING THE SANITARY SEWERS
3. THE IMPOSITION OF A SPECIALLY ASSESSED RATE ON PARTICULAR LOTS TO BE SERVED BY THE SAID PRIVATE DRAIN CONNECTIONS.

WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth (here and after called the "Region") in adopting on the 7th day of March, 1989, Clause 16 of the 89-109 Report of the Engineering Services Committee authorized the construction of sanitary sewers on Parkside Drive from Duncan Avenue to approximately 237 metres easterly, in the Town of Flamborough as a local improvement under Sections 11 and 3 respectively of the Local Improvement Act, R.S.O. 1980, c.250, as amended.

NOW THEREFORE, THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

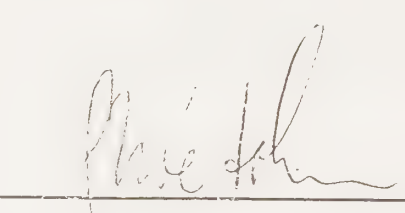
1. THAT the construction of the said sanitary sewers on Parkside Drive from Duncan Avenue to approximately 237 metres easterly, in the Town of Flamborough at an estimated cost of \$165,000.00 and the said private drain connections at an estimated cost of \$54,000.00 is hereby authorized, as set out on Schedule "A" hereto.
- 2.(a) THAT the share of the estimated cost of the described sanitary sewer to be borne by the owners of the lots liable to be specially assessed is \$60,034.00 and the amount to be specially assessed against such owners is hereby authorized at the actual equal special rate per metre of such frontage sufficient to defray the actual cost and payable by such owners in 15 annual consecutive installments.

- (b) THAT the share of the estimated cost of the described private drain connections be specially assessed upon the particular lots to be served.
- 3.(a) THAT the cost of the works described in Section 1 hereof are to be financed from special assessments, subsidies, monies received from any other source, and by the issue and sale of debentures of The Region in the amount of \$60,034.00 which are to be authorized by a subsequent by-law or by-laws and which are to be repayable over a term of not more than 15 years.
- (b) THAT pending the sale of debentures referred to in sub-section (a) of this Section and the receipt of special assessments, subsidies, or monies from any other source, the Chairman and the Treasurer of The Region may borrow money not exceeding \$219,000.00 for the purpose described in Section 1 hereof.
- (c) THAT the sum or sums of money borrowed pursuant to sub-section (b) of this section are to be repaid out of the special assessments, subsidies received, monies received from any other source and the proceeds of the sale of debentures of The Region.
4. THAT notwithstanding the provisions of this by-law the amount to be debentured pursuant to the provision hereof is not to exceed the net cost to The Region after deducting any special assessments, subsidies or contributions from the Province of Ontario or from any other source in respect of the undertaking described in Section 1 hereof.
5. THAT the proper officials of The Region are hereby authorized and directed to do all things necessary to carry-out the terms of this by-law except that no contract for the construction of the described works is to be entered into without the approval of the Council of the Regional Municipality of Hamilton-Wentworth.
6. THAT schedule "A" forms part of this by-law.

Read a First, Second and Third Time and Finally Passed and Enacted
this 18th day of July, 1989.



Acting CHAIRMAN



CLERK

Approved
as to form

Regional
Solicitor

SCHEDULE "A"

TO BY-LAW NO. R89-093

<u>DESCRIPTION</u>	<u>COST PER CONNECTION</u>	<u>TOTAL COST</u>	<u>REGION'S SHARE OF COST</u>	<u>OWNER'S SHARE OF COST</u>
Sanitary sewers on Parkside Drive from Duncan Avenue to approximately 229 metres easterly, in the Town of Flamborough		\$165,000.00	\$104,966.00	\$ 60,034.00
and				
Related Private Drain Connections	\$1,800.00	\$ 54,000.00		\$ 54,000.00

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO R89-094

BEING A BY-LAW TO AUTHORIZE THE IMPOSITION OF A SPECIALLY ASSESSED RATE UPON THE OWNERS OF LANDS ABUTTING THE SANITARY SEWERS AS DESCRIBED IN SCHEDULE "A" HERETO AND A SPECIALLY ASSESSED RATE ON PARTICULAR LOTS TO BE SERVED BY PRIVATE DRAIN CONNECTIONS AS DESCRIBED IN SCHEDULE "B" HERETO ON PARKSIDE DRIVE FROM DUNCAN AVENUE TO APPROXIMATELY 237 METRES EASTERLY, IN THE TOWN OF FLAMBOROUGH

WHEREAS The Regional Municipality of Hamilton-Wentworth (here and after called the "Region") intends to install sanitary sewers on Parkside Drive from Duncan Avenue to approximately 237 metres easterly, in the Town of Flamborough as a local improvement at an estimated cost of \$165,000.00 and related private drain connections as described in Schedule "B" to the By-law as a local improvement at an estimated cost of \$54,000.00; and,

WHEREAS the Region, pursuant to The Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, Chapter 437, Section 97(1) as amended, has sole responsibility for the financing of extensions to its sewer works systems and all the provisions of any general Act relating to the collection and disposal of sewage and the financing thereof apply with necessary modifications to the Regional Corporation; and

WHEREAS the Local Improvement Act, Sections 24 and 3 authorize a municipality to impose by by-law a specially assessed frontage rate upon owners or occupants of land who derive a benefit from the said sanitary sewers and a specially assessed rate upon particular lots served by the private drain connections.

NOW THEREFORE, THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

- 1.(a) THAT a specially assessed frontage rate be imposed on the owners of the lands described in Schedule "A" to this By-law, abutting the said sanitary sewer to be calculated on the frontage therein described being rateable for an estimated total of \$60,034.00 which shall be the portion of the total cost of the sewer works to be borne by the abutting land owners;
- (b) THAT the cost of the private drain connections be specially assessed only upon the particular lot to be served as outlined in Schedule "B" to this By-law, and in the amounts therein set out.

- 2.(a) THAT a reduction in the case of corner lots at the junction or intersection of streets and a reduction or increase in the case of triangular or irregularly shaped lots has been made in the specially assessed rate as per Schedule "A" to this By-law;
- (b) THAT where an exemption for flankage of a lot which flankage later becomes frontage on the sanitary sewers, the Region may impose a specially assessed rate of such amount as would have been assessed against such flankage had it been frontage at the date of passing of this By-law.
3. THAT the owners of the lands described on Schedule "A" to this By-law may pay the total estimated rates described therein in a lump sum cash payment or in equal and consecutive annual installments over a period of fifteen (15) years together with interest fixed at the borrowing rate for this Region at the time of the calculation of the total cost of the project and the imposition of the annual installment such as shown on Schedule "A" hereto.
4. THAT Schedule "A" and Schedule "B" form part of this By-law.

Read a First, Second and Third Time and Finally Passed
and Enacted this 18th day of July, 1989.



Acting CHAIRMAN



CLERK

Approved
as to form

Regional
Solicitor

SCHEDULE "A" TO BY-LAW NO. R89-094

DESCRIPTION: Sanitary Sewers

ESTIMATED COST: \$ 165,000.00

ESTIMATED COST PER METRE FRONTAGE TO OWNER: \$ 165.00

LOCATION: PARKSIDE DRIVE FROM DUNCAN AVENUE TO APPROXIMATELY 237 METRES EASTERLY,
IN THE TOWN OF FLAMBOROUGH

The specially assessed rate imposed on benefiting property owners may be paid in one lump sum amount (Column 6) or be financed and paid in (15) fifteen annual consecutive installments commencing in the year in which the project is closed and rated. The amount financed over fifteen years will be at an interest rate to be determined by the Region.

1	2	3	4	5	6	7
ASSESSMENT ROLL NUMBER	DESCRIPTION OF LANDS	FRONTAGE OF ABUTTING LAND	EXEMPT FRONTAGE	FRONTAGE SUBJECT TO RATE	ESTIMATED LUMP SUM CASH PAYMENT	ASSESSED OWNER
300 390 18200	RP 1029 Lot 2	30.48m	--	30.48	\$5,029.20	M. Hamilton
300 390 18400	RP 1029 Lot 3	30.48m	--	30.48	\$5,029.20	C. & M. Carr
300 390 18600	RP 1029 Lot 4	30.48m	--	30.48	\$5,029.20	D. & K. Bresnahan
300 390 18800	RP 1029 Lot 5	30.48m	--	30.48	\$5,029.20	R. & S. St. Pierre
300 390 19000	RP 1029 Lot 6	30.48m	--	30.48	\$5,029.20	A. Diezel
300 390 19200	RP 1029 Lot 7	30.48m	--	30.48	\$5,029.20	S. & D. Atkins
300 390 19400	RP 1029 Lot 8	30.48m	--	30.48	\$5,029.20	W. & J. Peer
300 390 19600	RP 1029 Lot 9	30.48m	--	30.48	\$5,029.20	R. & D. Gilbert
300 420 02800	Con. 4 Pt Lt 10	221.29m	161.29m	60.00	\$9,900.00	M. Simon/A. Sager
300 420 02600	Con. 4 Pt Lt 9 & 10	706.90m	646.90m	60.00	\$9,900.00	Banister Continental Ltd

SCHEDULE "B" TO BY-LAW NO. R89-094

NOTE: CONNECTION COST ONLY ON EACH LOT TO BE SERVED BY THE CONNECTION.

DESCRIPTION: SANITARY SEWER

LOCATION: PARKSIDE DRIVE FROM DUNCAN AVENUE TO APPROXIMATELY 237
METRES EASTERLY, IN THE TOWN OF FLAMBOROUGH

NUMBER OF CONNECTIONS: 30

COST PER CONNECTION: \$ 1,800.00

#0333B/29-35

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-095

TO PROVIDE FOR

1. THE CONSTRUCTION OF A SANITARY SEWER AND RELATED PRIVATE DRAIN CONNECTIONS AS DESCRIBED IN SCHEDULE "A" HERETO ON GOLFLINKS ROAD FROM 169 METRES EAST OF MEADOWBANK COURT TO 307 METRES EAST OF MEADOWBANK COURT, IN THE TOWN OF ANCASTER
2. THE IMPOSITION OF A SPECIALLY ASSESSED RATE ON ABUTTING OWNERS TO PAY A PORTION OF THE COST OF CONSTRUCTING THE SANITARY SEWERS
3. THE IMPOSITION OF A SPECIALLY ASSESSED RATE ON PARTICULAR LOTS TO BE SERVED BY THE SAID PRIVATE DRAIN CONNECTIONS.

WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth (here and after called the "Region") in adopting on the 7th day of March, 1989, Clause 16 of the 89-109 Report of the Engineering Services Committee authorized the construction of sanitary sewers on Golflinks Road from 169 metres east of Meadowbank Court to 307 metres east of Meadowbank Court, in the Town of Ancaster as a local improvement under Sections 11 and 3 respectively of the Local Improvement Act, R.S.O. 1980, c.250, as amended.

NOW THEREFORE, THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

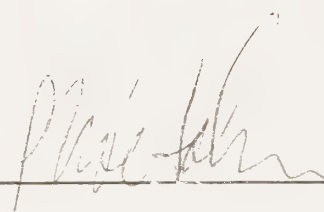
1. THAT the construction of the said sanitary sewers on Golflinks Road from 169 metres east of Meadowbank Court to 307 metres east of Meadowbank Court, in the Town of Ancaster at an estimated cost of \$85,000.00 and the said private drain connections at an estimated cost of \$0.00 is hereby authorized, as set out on Schedule "A" hereto.
- 2.(a) THAT the share of the estimated cost of the described sanitary sewer to be borne by the owners of the lots liable to be specially assessed is \$49,604.00 and the amount to be specially assessed against such owners is hereby authorized at the actual equal special rate per metre of such frontage sufficient to defray the actual cost and payable by such owners in 15 annual consecutive installments.

- (b) THAT the share of the estimated cost of the described private drain connections be specially assessed upon the particular lots to be served.
- 3.(a) THAT the cost of the works described in Section 1 hereof are to be financed from special assessments, subsidies, monies received from any other source, and by the issue and sale of debentures of The Region in the amount of \$49,604.00 which are to be authorized by a subsequent by-law or by-laws and which are to be repayable over a term of not more than 15 years.
- (b) THAT pending the sale of debentures referred to in sub-section (a) of this Section and the receipt of special assessments, subsidies, or monies from any other source, the Chairman and the Treasurer of The Region may borrow money not exceeding \$85,000.00 for the purpose described in Section 1 hereof.
- (c) THAT the sum or sums of money borrowed pursuant to sub-section (b) of this section are to be repaid out of the special assessments, subsidies received, monies received from any other source and the proceeds of the sale of debentures of The Region.
4. THAT notwithstanding the provisions of this by-law the amount to be debentured pursuant to the provision hereof is not to exceed the net cost to The Region after deducting any special assessments, subsidies or contributions from the Province of Ontario or from any other source in respect of the undertaking described in Section 1 hereof.
5. THAT the proper officials of The Region are hereby authorized and directed to do all things necessary to carry-out the terms of this by-law except that no contract for the construction of the described works is to be entered into without the approval of the Council of the Regional Municipality of Hamilton-Wentworth.
6. THAT schedule "A" forms part of this by-law.

Read a First, Second and Third Time and Finally Passed and Enacted
this 16th day of July, 1989.



Acting CHAIRMAN



CLERK

proved
as to form

Regional
Solicitor

SCHEDULE "A"

TO BY-LAW NO. R89-095

<u>DESCRIPTION</u>	<u>COST PER CONNECTION</u>	<u>TOTAL COST</u>	<u>REGION'S SHARE OF COST</u>	<u>OWNER'S SHARE OF COST</u>
Sanitary sewers on Golflinks Road from 169 metres east of Meadowbank Court to 307 metres east of Meadowbank Court, in the Town of Ancaster		\$ 85,000.00	\$ 35,396.00	\$ 49,604.00
and				
Related Private Drain Connections	(No private drains)	--	--	--

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO R89-096

BEING A BY-LAW TO AUTHORIZE THE IMPOSITION
OF A SPECIALLY ASSESSED RATE UPON THE OWNERS
OF LANDS ABUTTING THE SANITARY SEWERS AS
DESCRIBED IN SCHEDULE "A" HERETO AND A
SPECIALLY ASSESSED RATE ON PARTICULAR LOTS
TO BE SERVED BY PRIVATE DRAIN CONNECTIONS
AS DESCRIBED IN SCHEDULE "B" HERETO ON
GOLFLINKS ROAD FROM 169 METRES EAST OF
MEADOWBANK COURT TO 307 METRES EAST OF
MEADOWBANK COURT, IN THE TOWN OF ANCASTER

WHEREAS The Regional Municipality of Hamilton-Wentworth (here and after called the "Region") intends to install sanitary sewers on Golflinks Road from 169 metres east of Meadowbank Court to 307 metres east of Meadowbank Court, in the Town of Ancaster as a local improvement at an estimated cost of \$85,000.00 and related private drain connections as described in Schedule "B" to the By-law as a local improvement at an estimated cost of \$0.00; and,

WHEREAS the Region, pursuant to The Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, Chapter 437, Section 97(1) as amended, has sole responsibility for the financing of extensions to its sewer works systems and all the provisions of any general Act relating to the collection and disposal of sewage and the financing thereof apply with necessary modifications to the Regional Corporation; and

WHEREAS the Local Improvement Act, Sections 24 and 3 authorize a municipality to impose by by-law a specially assessed frontage rate upon owners or occupants of land who derive a benefit from the said sanitary sewers and a specially assessed rate upon particular lots served by the private drain connections.

NOW THEREFORE, THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

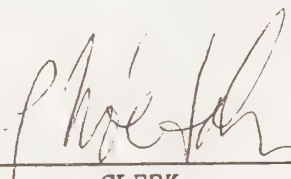
- 1.(a) THAT a specially assessed frontage rate be imposed on the owners of the lands described in Schedule "A" to this By-law, abutting the said sanitary sewer to be calculated on the frontage therein described being rateable for an estimated total of \$49,604.00 which shall be the portion of the total cost of the sewer works to be borne by the abutting land owners;
- (b) THAT the cost of the private drain connections be specially assessed only upon the particular lot to be served as outlined in Schedule "B" to this By-law, and in the amounts therein set out.

- 2.(a) THAT a reduction in the case of corner lots at the junction or intersection of streets and a reduction or increase in the case of triangular or irregularly shaped lots has been made in the specially assessed rate as per Schedule "A" to this By-law;
- (b) THAT where an exemption for flankage of a lot which flankage later becomes frontage on the sanitary sewers, the Region may impose a specially assessed rate of such amount as would have been assessed against such flankage had it been frontage at the date of passing of this By-law.
3. THAT the owners of the lands described on Schedule "A" to this By-law may pay the total estimated rates described therein in a lump sum cash payment or in equal and consecutive annual installments over a period of fifteen (15) years together with interest fixed at the borrowing rate for this Region at the time of the calculation of the total cost of the project and the imposition of the annual installment such as shown on Schedule "A" hereto.
4. THAT Schedule "A" and Schedule "B" form part of this By-law.

Read a First, Second and Third Time and Finally Passed
and Enacted this 16th day of July, 1989.



Acting CHAIRMAN



CLERK

Approved
as to form

Regional
Solicitor

SCHEDULE "A" TO BY-LAW NO. R89-096

DESCRIPTION: Sanitary Sewers

ESTIMATED COST: \$ 85,000.00

ESTIMATED COST PER METRE FRONTAGE TO OWNER: \$ 165.00

LOCATION: GOLFLINKS ROAD FROM 169 METRES EAST OF
MEADOWBANK COURT TO 307 METRES EAST OF
MEADOWBANK COURT, IN THE TOWN OF ANCASTER

The specially assessed rate imposed on benefiting property owners may be paid in one lump sum amount (Column 6) or be financed and paid in (15) fifteen annual consecutive installments commencing in the year in which the project is closed and rated. The amount financed over fifteen years will be at an interest rate to be determined by the Region.

1	2	3	4	5	6	7
ASSESSMENT ROLL NUMBER	DESCRIPTION OF LANDS	FRONTAGE OF ABUTTING LAND	EXEMPT FRONTAGE	FRONTAGE SUBJECT TO RATE	ESTIMATED LUMP SUM CASH PAYMENT	ASSESSED OWNER
100 280 10200	Con 2 Pt Lts 49-52	128.00m	--	128.00m	\$21,120.00	551908 Ontario Ltd.
100 280 12200	Con 3 Pt Lt 51	25.91m	--	25.91m	\$ 4,275.15	L. & J. Ross
100 280 12400	Con 3 Pt Lts 51&53	116.42m	--	116.42m	\$19,209.30	551908 Ontario Ltd.

SCHEDULE "B" TO BY-LAW NO. R89-096

NOTE: CONNECTION COST ONLY ON EACH LOT TO BE SERVED BY THE CONNECTION.

DESCRIPTION: SANITARY SEWER

LOCATION: GOLFLINKS ROAD FROM 169 METRES EAST OF MEADOWBANK COURT
TO 307 METRES EAST OF MEADOWBANK COURT, IN THE TOWN OF
ANCASTER

NUMBER OF CONNECTIONS: 0

COST PER CONNECTION: \$ 0.00

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R89-097

TO PROVIDE FOR

1. THE CONSTRUCTION OF A SANITARY SEWER AND RELATED PRIVATE DRAIN CONNECTIONS AS DESCRIBED IN SCHEDULE "A" HERETO ON JONES ROAD FROM BARTON STREET TO HIGHWAY #8, IN THE CITY OF STONEY CREEK
2. THE IMPOSITION OF A SPECIALLY ASSESSED RATE ON ABUTTING OWNERS TO PAY A PORTION OF THE COST OF CONSTRUCTING THE SANITARY SEWERS
3. THE IMPOSITION OF A SPECIALLY ASSESSED RATE ON PARTICULAR LOTS TO BE SERVED BY THE SAID PRIVATE DRAIN CONNECTIONS.

WHEREAS the Council of the Regional Municipality of Hamilton-Wentworth (here and after called the "Region") in adopting on the 7th day of March, 1989, Clause 16 of the 89-109 Report of the Engineering Services Committee authorized the construction of sanitary sewers on Jones Road from Barton Street to Highway #8, in the City of Stoney Creek as a local improvement under Sections 11 and 3 respectively of the Local Improvement Act, R.S.O. 1980, c.250, as amended.

NOW THEREFORE, THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

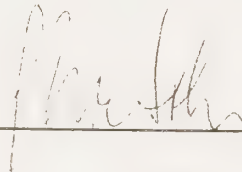
1. THAT the construction of the said sanitary sewers on Jones Road from Barton Street to Highway #8, in the City of Stoney Creek at an estimated cost of \$640,000.00 and the said private drain connections at an estimated cost of \$108,000.00 is hereby authorized, as set out on Schedule "A" hereto.
- 2.(a) THAT the share of the estimated cost of the described sanitary sewer to be borne by the owners of the lots liable to be specially assessed is \$245,057.00 and the amount to be specially assessed against such owners is hereby authorized at the actual equal special rate per metre of such frontage sufficient to defray the actual cost and payable by such owners in 15 annual consecutive installments.

- (b) THAT the share of the estimated cost of the described private drain connections be specially assessed upon the particular lots to be served.
- 3.(a) THAT the cost of the works described in Section 1 hereof are to be financed from special assessments, subsidies, monies received from any other source, and by the issue and sale of debentures of The Region in the amount of \$245,057.00 which are to be authorized by a subsequent by-law or by-laws and which are to be repayable over a term of not more than 15 years.
- (b) THAT pending the sale of debentures referred to in sub-section (a) of this Section and the receipt of special assessments, subsidies, or monies from any other source, the Chairman and the Treasurer of The Region may borrow money not exceeding \$748,000.00 for the purpose described in Section 1 hereof.
- (c) THAT the sum or sums of money borrowed pursuant to sub-section (b) of this section are to be repaid out of the special assessments, subsidies received, monies received from any other source and the proceeds of the sale of debentures of The Region.
4. THAT notwithstanding the provisions of this by-law the amount to be debentured pursuant to the provision hereof is not to exceed the net cost to The Region after deducting any special assessments, subsidies or contributions from the Province of Ontario or from any other source in respect of the undertaking described in Section 1 hereof.
5. THAT the proper officials of The Region are hereby authorized and directed to do all things necessary to carry-out the terms of this by-law except that no contract for the construction of the described works is to be entered into without the approval of the Council of the Regional Municipality of Hamilton-Wentworth.
6. THAT schedule "A" forms part of this by-law.

Read a First, Second and Third Time and Finally Passed and Enacted
this 18th day of July, 1989.



CHAIRMAN



CLERK

Approved
as to form

Regional
Solicitor

SCHEDULE "A"

TO BY-LAW NO. R89-097

<u>DESCRIPTION</u>	<u>COST PER CONNECTION</u>	<u>TOTAL COST</u>	<u>REGION'S SHARE OF COST</u>	<u>OWNER'S SHARE OF COST</u>
Sanitary sewers on Jones Road from Barton Street to Highway #8, in the City of Stoney Creek		\$640,000.00	\$394,943.00	\$245,057.00
and				
Related Private Drain Connections	\$ 1,800.00	\$108,000.00	--	\$108,000.00

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO R89-098

BEING A BY-LAW TO AUTHORIZE THE IMPOSITION OF A SPECIALLY ASSESSED RATE UPON THE OWNERS OF LANDS ABUTTING THE SANITARY SEWERS AS DESCRIBED IN SCHEDULE "A" HERETO AND A SPECIALLY ASSESSED RATE ON PARTICULAR LOTS TO BE SERVED BY PRIVATE DRAIN CONNECTIONS AS DESCRIBED IN SCHEDULE "B" HERETO ON JONES ROAD FROM BARTON STREET TO HIGHWAY #8, IN THE CITY OF STONEY CREEK

WHEREAS The Regional Municipality of Hamilton-Wentworth (here and after called the "Region") intends to install sanitary sewers on Jones Road from Barton Street to Highway #8, in the City of Stoney Creek as a local improvement at an estimated cost of \$640,000.00 and related private drain connections as described in Schedule "B" to the By-law as a local improvement at an estimated cost of \$108,000.00; and,

WHEREAS the Region, pursuant to The Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, Chapter 437, Section 97(1) as amended, has sole responsibility for the financing of extensions to its sewer works systems and all the provisions of any general Act relating to the collection and disposal of sewage and the financing thereof apply with necessary modifications to the Regional Corporation; and

WHEREAS the Local Improvement Act, Sections 24 and 3 authorize a municipality to impose by by-law a specially assessed frontage rate upon owners or occupants of land who derive a benefit from the said sanitary sewers and a specially assessed rate upon particular lots served by the private drain connections.

NOW THEREFORE, THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

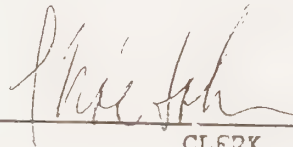
- 1.(a) THAT a specially assessed frontage rate be imposed on the owners of the lands described in Schedule "A" to this By-law, abutting the said sanitary sewer to be calculated on the frontage therein described being rateable for an estimated total of \$245,057.00 which shall be the portion of the total cost of the sewer works to be borne by the abutting land owners;
- (b) THAT the cost of the private drain connections be specially assessed only upon the particular lot to be served as outlined in Schedule "B" to this By-law, and in the amounts therein set out.

- 2.(a) THAT a reduction in the case of corner lots at the junction or intersection of streets and a reduction or increase in the case of triangular or irregularly shaped lots has been made in the specially assessed rate as per Schedule "A" to this By-law;
- (b) THAT where an exemption for flankage of a lot which flankage later becomes frontage on the sanitary sewers, the Region may impose a specially assessed rate of such amount as would have been assessed against such flankage had it been frontage at the date of passing of this By-law.
3. THAT the owners of the lands described on Schedule "A" to this By-law may pay the total estimated rates described therein in a lump sum cash payment or in equal and consecutive annual installments over a period of fifteen (15) years together with interest fixed at the borrowing rate for this Region at the time of the calculation of the total cost of the project and the imposition of the annual installment such as shown on Schedule "A" hereto.
4. THAT Schedule "A" and Schedule "B" form part of this By-law.

Read a First, Second and Third Time and Finally Passed
and Enacted this 16th day of July, 1989.



CHAIRMAN



CLERK

Approved
as to form

Regional
Solicitor

SCHEDULE "A" TO BY-LAW NO. R89-098

DESCRIPTION: Sanitary Sewers

ESTIMATED COST: \$640,000.00

ESTIMATED COST PER METRE FRONTAGE TO OWNER: \$ 165.00

LOCATION: JONES ROAD FROM BARTON STREET TO
HIGHWAY #8, IN THE CITY OF STONEY CREEK

The specially assessed rate imposed on benefiting property owners may be paid in one lump sum amount (Column 6) or be financed and paid in (15) fifteen annual consecutive installments commencing in the year in which the project is closed and rated. The amount financed over fifteen years will be at an interest rate to be determined by the Region.

1	2	3	4	5	6	7
ASSESSMENT	DESCRIPTION OF	FRONTAGE OF	EXEMPT	FRONTAGE	ESTIMATED LUMP	ASSESSED
ROLL NUMBER	LANDS	ABUTTING LAND	FRONTAGE	SUBJECT TO RATE	SUM CASH PAYMENT	OWNER
100 240 31200	Con 2 Pt Lt 13	44.50m	36.58m	7.92m	\$1,306.80	F. Wilk
100 240 31400	Con 2 Pt Lt 13	25.93m	--	25.93m	\$4,278.45	W. Wilk
100 240 31600	Con 2 Pt Lt 13	16.76m	--	16.76m	\$2,765.40	J. Labranche
100 240 31800	Con 2 Pt Lt 13	19.81m	--	19.81m	\$3,268.65	B. & H. Ryan
100 240 32000	Con 2 Pt Lt 13	23.77m	--	23.77m	\$3,922.05	J. Spanik/L.Carney
100 240 32200	Con 2 Pt Lt 13	30.48m	--	30.48m	\$5,029.20	S. & S. Rakstys
100 240 32400	Con 2 Pt Lt 13	193.56m	133.56m	60.00m	\$9,900.00	549367 Ontario Ltd.
100 240 32600	Con 2 Pt Lt 13	42.72m	--	42.72m	\$7,048.80	M. Beeforth Estate
100 240 32800	Con 2 Pt Lt 13	21.44m	--	21.44m	\$3,537.60	A. & D. Hadaway
100 240 33000	Con 2 Pt Lt 13	21.34m	--	21.34m	\$3,521.10	D. Howick
100 240 33200	Con 2 Pt Lt 13	24.41m	--	24.41m	\$4,027.65	M. Davenport
100 240 33400	Con 2 Pt Lt 13	80.64m	20.64m	60.00m	\$9,900.00	N. & J. Ozimok
100 240 33600	Con 2 Pt Lt 13	32.92m	--	32.92m	\$5,431.80	J. & T. Halper
100 240 33800	Con 2 Pt Lt 13	36.58m	--	36.58m	\$6,035.70	G. & A. Eygenraam

1	2	3	4	5	6	7
ASSESSMENT ROLL NUMBER	DESCRIPTION OF LANDS	FRONTAGE OF ABUTTING LAND	EXEMPT FRONTAGE	FRONTAGE SUBJECT TO RATE	ESTIMATED LUMP SUM CASH PAYMENT	ASSESSED OWNER
100 240 34000	Con 2 Pt Lt 13	24.88m	--	24.88m	\$4,105.20	W. & J. Smith
100 240 34200	Con 2 Pt Lt 13	26.69m	--	26.69m	\$4,403.85	A. & A. Ledonne
100 240 34400	Con 2 Pt Lt 12	32.14m	--	32.14m	\$5,303.10	J. & S. Hepp
100 240 34750	Con 2 Pt Lt 13	43.31m	--	43.31m	\$7,146.15	M. Jakymyshyn
100 240 34800	Con 2 Pt Lt 13	19.17m	--	19.17m	\$3,163.05	G. & S. Moco
100 240 35000	Con 2 Pt Lt 13	26.21m	--	26.21m	\$4,324.65	M. McLellan
100 240 35200	Con 2 Pt Lt 13	65.62m	--	65.62m	\$10,827.30	A. & A. Balen
100 240 35400	Con 2 Pt Lt 13	55.65m	--	55.65m	\$ 9,182.25	V. & D. Festa
100 230 04600	Con 2 Pt Lt 12	41.57m	36.58m	4.99m	\$823.35	M. & G. Marsilio
100 230 04400	Con 2 Pt Lt 12	30.48m	--	30.48m	\$5,029.20	M. & S. Woodland
100 230 04200	Con 2 Pt Lt 12	15.24m	--	15.24m	\$2,514.60	W. & J. Gooch
100 230 04000	Con 2 Pt Lt 12	15.24m	--	15.24m	\$2,514.60	L. & E. Moffett
100 230 03800	Con 2 Pt Lt 12	30.48m	--	30.48m	\$5,029.20	G. & D. Zamperin
100 230 03600	Con 2 Pt Lt 12	17.07m	--	17.07m	\$2,816.55	T. & V. Catherwood
100 230 03400	Con 2 Pt Lt 12	17.25m	--	17.25m	\$2,846.25	N. & P. VanDerSloot
100 230 03200	Con 2 Pt Lt 12	28.58m	--	28.58m	\$4,715.70	Z. & F. Stojanovic
100 230 03000	Con 2 Pt Lt 12	15.24m	--	15.24m	\$2,514.60	D. & L. Vrabac
100 230 02800	Con 2 Pt Lt 12	15.24m	--	15.24m	\$2,514.60	R. & M. Vuvic
100 230 02600	Con 2 Pt Lt 12	15.24m	--	15.24m	\$2,514.60	A. Nardulli
100 230 02400	Con 2 Pt Lt 12	15.24m	--	15.24m	\$2,514.60	A. & K. Pritchard
100 230 02200	Con 2 Pt Lt 12	15.24m	--	15.24m	\$2,514.60	J. VanderVeen
100 230 02000	Con 2 Pt Lt 12	15.24m	--	15.24m	\$2,514.60	D. Cheung
100 230 01800	Con 2 Pt Lt 12	30.48m	--	30.48m	\$5,029.20	J. & K. Paetkau

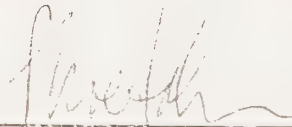
1	2	3	4	5	6	7
ASSESSMENT ROLL NUMBER	DESCRIPTION OF LANDS	FRONTAGE OF ABUTTING LAND	EXEMPT FRONTAGE	FRONTAGE SUBJECT TO RATE	ESTIMATED LUMP SUM CASH PAYMENT	ASSESSED OWNER
100 230 01600	Con 2 Pt Lt 12	22.86m	--	22.86m	\$3,771.90	S. & A. Lattanzi
100 230 01400	Con 2 Pt Lt 12	22.86m	--	22.86m	\$3,771.90	G. & V. Scattolon
100 230 01200	Con 2 Pt Lt 12	22.86m	--	22.86m	\$3,771.90	V. & R. Walewski
100 230 01000	Con 2 Pt Lt 12	145.29m	85.29m	60.00m	\$9,900.00	P. & P. Djeneralovic
100 230 00800	Con 2 Pt Lt 12	38.10m	--	38.10m	\$6,286.50	J. & R. Farkas
100 230 00600	Con 2 Pt Lt 12	23.47m	--	23.47m	\$3,872.55	J. & J. Morrissey
100 230 00400	Con 2 Pt Lt 12	15.85m	--	15.85m	\$2,615.25	K. & K. Halper
100 230 00300	Con 2 Pt Lt 12	78.32m	--	78.32m	\$12,922.80	City of Stoney Creek
100 230 00200	Con 2 Pt Lt 12	47.85m	--	47.85m	\$7,895.25	Hamilton-Wentworth Region
100 230 00100	Con 2 Pt Lt 12	154.04m	--	154.04m	\$25,416.60	City of Stoney Creek

- (b) THAT the share of the estimated cost of the described private drain connections be specially assessed upon the particular lots to be served.
- 3.(a) THAT the cost of the works described in Section 1 hereof are to be financed from special assessments, subsidies, monies received from any other source, and by the issue and sale of debentures of The Region in the amount of \$79,728.00 which are to be authorized by a subsequent by-law or by-laws and which are to be repayable over a term of not more than 15 years.
- (b) THAT pending the sale of debentures referred to in sub-section (a) of this Section and the receipt of special assessments, subsidies, or monies from any other source, the Chairman and the Treasurer of The Region may borrow money not exceeding \$260,000.00 for the purpose described in Section 1 hereof.
- (c) THAT the sum or sums of money borrowed pursuant to sub-section (b) of this section are to be repaid out of the special assessments, subsidies received, monies received from any other source and the proceeds of the sale of debentures of The Region.
4. THAT notwithstanding the provisions of this by-law the amount to be debentured pursuant to the provision hereof is not to exceed the net cost to The Region after deducting any special assessments, subsidies or contributions from the Province of Ontario or from any other source in respect of the undertaking described in Section 1 hereof.
5. THAT the proper officials of The Region are hereby authorized and directed to do all things necessary to carry-out the terms of this by-law except that no contract for the construction of the described works is to be entered into without the approval of the Council of the Regional Municipality of Hamilton-Wentworth.
6. THAT schedule "A" forms part of this by-law.

Read a First, Second and Third Time and Finally Passed and Enacted
this 18th day of July, 1989.



CHAIRMAN



CLERK

Approved
as to form

Regional
Solicitor.

SCHEDULE "A"

TO BY-LAW NO. R89-099

<u>DESCRIPTION</u>	<u>COST PER CONNECTION</u>	<u>TOTAL COST</u>	<u>REGION'S SHARE OF COST</u>	<u>OWNER'S SHARE OF COST</u>
Storm and sanitary sewers on Upper Gage Avenue from 68 metres south of Anna Capri Drive to Royal Vista Drive, in the City of Hamilton		\$215,000.00	\$ 135,272.00 (includes Provincial subsidy of \$37,374.00)	\$ 79,728.00
and				
Related Private Drain Connections	\$1,800.00	\$ 45,000.00		\$ 45,000.00

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO R89-100

BEING A BY-LAW TO AUTHORIZE THE IMPOSITION OF A SPECIALLY ASSESSED RATE UPON THE OWNERS OF LANDS ABUTTING THE STORM AND SANITARY SEWERS AS DESCRIBED IN SCHEDULE "A" HERETO AND A SPECIALLY ASSESSED RATE ON PARTICULAR LOTS TO BE SERVED BY PRIVATE DRAIN CONNECTIONS AS DESCRIBED IN SCHEDULE "B" HERETO ON UPPER GAGE AVENUE FROM 68 METRES SOUTH OF ANNA CAPRI DRIVE TO ROYAL VISTA DRIVE, IN THE CITY OF HAMILTON

WHEREAS The Regional Municipality of Hamilton-Wentworth (here and after called the "Region") intends to install storm and sanitary sewers on Upper Gage Avenue from 68 metres south of Anna Capri Drive to Royal Vista Drive, in the City of Hamilton as a local improvement at an estimated cost of \$215,000.00 and related private drain connections as described in Schedule "B" to the By-law as a local improvement at an estimated cost of \$45,000.00; and,

WHEREAS the Region, pursuant to The Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, Chapter 437, Section 97(1) as amended, has sole responsibility for the financing of extensions to its sewer works systems and all the provisions of any general Act relating to the collection and disposal of sewage and the financing thereof apply with necessary modifications to the Regional Corporation; and

WHEREAS the Local Improvement Act, Sections 24 and 3 authorize a municipality to impose by by-law a specially assessed frontage rate upon owners or occupants of land who derive a benefit from the said storm and sanitary sewers and a specially assessed rate upon particular lots served by the private drain connections.

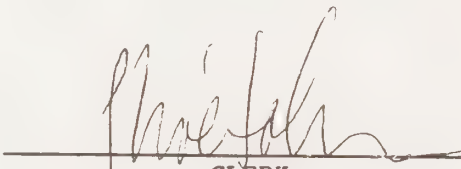
NOW THEREFORE, THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

- 1.(a) THAT a specially assessed frontage rate be imposed on the owners of the lands described in Schedule "A" to this By-law, abutting the said storm and sanitary sewer to be calculated on the frontage therein described being rateable for an estimated total of \$79,728.00 which shall be the portion of the total cost of the sewer works to be borne by the abutting land owners;
- (b) THAT the cost of the private drain connections be specially assessed only upon the particular lot to be served as outlined in Schedule "B" to this By-law, and in the amounts therein set out.

- 2.(a) THAT a reduction in the case of corner lots at the junction or intersection of streets and a reduction or increase in the case of triangular or irregularly shaped lots has been made in the specially assessed rate as per Schedule "A" to this By-law;
- (b) THAT where an exemption for flankage of a lot which flankage later becomes frontage on the storm and sanitary sewers, the Region may impose a specially assessed rate of such amount as would have been assessed against such flankage had it been frontage at the date of passing of this By-law.
3. THAT the owners of the lands described on Schedule "A" to this By-law may pay the total estimated rates described therein in a lump sum cash payment or in equal and consecutive annual installments over a period of fifteen (15) years together with interest fixed at the borrowing rate for this Region at the time of the calculation of the total cost of the project and the imposition of the annual installment such as shown on Schedule "A" hereto.
4. THAT Schedule "A" and Schedule "B" form part of this By-law.

Read a First, Second and Third Time and Finally Passed
and Enacted this 18th day of July, 1989.


CHAIRMAN


CLERK

Approved
as to form

Regional
Solicitor

SCHEDULE "A" TO BY-LAW NO. R89-100

DESCRIPTION: Storm and sanitary sewers

ESTIMATED COST: \$ 215,000.00

ESTIMATED COST PER METRE FRONTAGE TO OWNER: \$ 220.00

LOCATION: UPPER GAGE AVENUE FROM 68 METRES SOUTH OF
ANNA CAPRI DRIVE TO ROYAL VISTA DRIVE, IN THE
CITY OF HAMILTON

The specially assessed rate imposed on benefiting property owners may be paid in one lump sum amount (Column 6) or be financed and paid in (15) fifteen annual consecutive installments commencing in the year in which the project is closed and rated. The amount financed over fifteen years will be at an interest rate to be determined by the Region.

1	2	3	4	5	6	7
ASSESSMENT ROLL NUMBER	DESCRIPTION OF LANDS	FRONTAGE OF ABUTTING LAND	EXEMPT FRONTAGE	FRONTAGE SUBJECT TO RATE	ESTIMATED LUMP SUM CASH PAYMENT	ASSESSED OWNER
07 07410 6310	Con 8 Pt Lt 7	30.48m	--	30.48	\$ 6,705.60	B. Zanesco in Trust
07 07410 6280	Con 8 Pt Lt 7	30.48m	--	30.48	\$ 6,705.60	J. Shanlin/R. Martin
07 07410 6250	Con 8 Pt Lt 7	30.48m	--	30.48	\$ 6,705.60	J. & J. Salgo
07 07410 6220	Con 8 Pt Lt 7	30.18m	--	30.18	\$ 6,639.60	J. & B. Crockett
07 07410 6105	Con 8 Pt Lt 7	61.27m	--	61.27	\$13,479.40	D. & R. Kuhlmann
07 07410 6100	Con 8 Pt Lt 7	9.14m	--	9.14	\$ 2,010.80	B. & B. Pottruff
07 07310 2780	Con 8 Pt Lt 6	31.70m	--	31.70	\$ 6,974.00	R. Quinn
07 07310 2810	Con 8 Pt Lt 6	31.70m	--	31.70	\$ 6,974.00	R. Quinn
07 07310 2600	Con 8 Pt Lt 6	6.39m	--	6.39	\$ 1,405.80	448947 Ontario Ltd.
07 07310 2835	Con 8 Pt Lt 6	54.86m	--	54.86	\$12,069.20	Duart Holdings Ltd.
07 07310 2840	Con 8 Pt Lt 6	45.72m	--	45.72	\$10,058.40	W. & A. Mason

SCHEDULE "B" TO BY-LAW NO. R89-100

NOTE: CONNECTION COST ONLY ON EACH LOT TO BE SERVED BY THE CONNECTION.

DESCRIPTION: STORM AND SANITARY SEWERS

LOCATION: UPPER GAGE AVENUE FROM 68 METRES SOUTH OF
ANNA CAPRI DRIVE TO ROYAL VISTA DRIVE, IN THE
CITY OF HAMILTON

NUMBER OF CONNECTIONS: 25

COST PER CONNECTION: \$ 1,800.00

ACCO

EX-ACCO



25070	YELLOW/JAUNE	BY2507
25071	BLACK/NOIR	BG2507
25072	BLUE/BLEU	BU2507
25073	R. BLUE/BLEU R.	BB2507
25074	GREY/GRIS	BD2507
25075	GREEN/VERT	BP2507
25077	TANGERINE	BA2507
25078	RED/ROUGE	BF2507
25079	X. RED/ROUGE X.	BX2507

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